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THE

CHARTER AND ORDINANCES

OF THE

CITY OF PROVIDENCE;

WITH THE

ACTS OF THE GENERAL ASSEMBLY

RELATING TO THE CITY.

PUBLISHED BY ORDER OF THE CITY COUNCIL.

PROVIDENCE:
KNOWLES AND VOSE, PRINTERS.
1845.

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1845

THE Ordinances of this City, and the Laws of the State specially relating to the City, are, in conformity with the instructions of the City Council, herein published, under the direction of the undersigned.

THOMAS M. BURGESS,
THOMAS B. FENNER,
WILLIAM S. PATTEN,
JAMES C. HIDDEN,
JOHN J. STIMSON,
JOSIAH F. CROOKER,
JOSEPH BURROWS, JR.
} COMMITTEE.

City of Providence, May 1, 1845.

UNIV OF CALIFORNIA

Univ. of California

CHARTER.

STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS.
IN GENERAL ASSEMBLY, OCTOBER SESSION, A. D. 1831.

An Act to incorporate the City of Providence.

SECTION
1. Inhabitants of Providence incorporated—power to make laws—to hold courts.
2. Administration of government vested in Mayor, Aldermen, and Common Council.—Town meetings in relation to Dexter donation.
3. Mayor—powers and duties—salary.
4. City Council—powers and duties—salaries of aldermen—taxes how assessed—annual statement to be published.
5. Town by-laws not repealed by this act.
6. Municipal court—one judge—to have probate jurisdiction—jurisdiction over other matters.—Appeals.—When judge is interested, alderman to act as judge.
7. Police Court jurisdiction—for form of proceeding, see Act in amendment.
8. Wards—ward meetings and officers.—Elections.—Annual organization on first Monday of June.—City Clerk to be chosen by ballot—duties of city clerk.—Board of aldermen to choose president pro tem., who in certain cases may act as mayor.
9 & 10. These sections relate to general elections and admission of freemen, which since the adoption of the Constitution have become obsolete.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, That the inhabitants of the town of Providence shall continue to be a body politic and corporate, by the name of the "City of Providence;" and, as such, shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties and obligations now appertaining to or incumbent upon said town as a municipal corporation, or appertaining to or incumbent upon the freemen and town-council thereof; may ordain and publish such acts, laws and regulations as shall be needful to the good order of said body politic, and inflict fines and penalties for the breach thereof, not exceeding two hundred dollars and six months imprisonment for any one offence; and may hold courts of judicature, with the powers and jurisdictions hereinafter mentioned.

SEC. 2. *And be it further enacted*, That the administration of all the fiscal, prudential and municipal affairs of said

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city, with the government thereof, shall be vested in one principal magistrate,* [being a freeholder and freeman of said city,] to be called the Mayor; one council of six [freemen, being also freeholders,] to be called the Board of Aldermen; and one council of twenty-four [freemen, ;being also freeholders,] to be called the Common Council which boards shall, in their joint capacity, be called the City Council; together with such other magistrates or officers as by this Act are, or hereafter may be, by the laws of this State and of said city, prescribed; who shall be sworn or affirmed to the faithful performance of the duties of their respective offices, and to support the Constitution of the United States: *provided, however*, that it shall at all times be lawful for the freemen of said city of Providence, or any number of them not less than forty, to hold town meetings in said city, for the purpose of transacting business in relation to the property and estate devised to the town of Providence by the last will and testament of Ebenezer Knight Dexter, and denominated the Dexter Donation, and the Asylum, and other town or city property connected therewith; and the times and places of holding such meetings, and the warning thereof, shall be appointed and directed by the city council; and the proceedings of every such town meeting shall be recorded in a book to be kept for that purpose by the city clerk, who shall *ex officio* be the clerk of said meetings.

SEC. 3. *And be it further enacted*, that the mayor of said city shall be the chief executive magistrate thereof, and shall be *ex officio* a justice of the peace within the city. It shall be his duty to be vigilant and active in causing the laws to be executed and enforced; and in order to enable him more effectually to preserve the peace and good order of the city, all the powers given to sheriffs and other officers in and by an Act entitled "An Act to prevent routs, riots and tumultuous assemblies, and the evil consequences thereof," are hereby conferred upon him. He is also hereby empowered to commit to prison, for a term not exceeding twenty-four hours, any dissolute person or persons who may be detected in reveling in the streets, committing any mischief, quarreling, or otherwise behaving in a disorderly manner, to the disturbance or annoyance of the peaceable inhabitants of said city. He is also empowered to enter any house or building which he

* The parts of the charter included in brackets have been materially modified by acts in amendment of the charter, and by the constitution and election laws of the state.

has reasonable cause to suspect to be inhabited by persons of ill fame, or to which persons of dissolute, idle or disorderly character are suspected to resort; and if any dissolute, disorderly or vagrant persons are found assembled in or about such house or building, he shall command all such persons immediately to disperse, if in his opinion the good order of any portion of the city requires it; and in case of neglect or refusal to obey such command, he is hereby authorized to commit any person or persons so disobeying to prison, for a term not exceeding forty-eight hours; and, if need be, he may require the aid of any sheriff, deputy sheriff, town-sergeant, constable or watchman, or all of them, together with such other aid as may be necessary. He shall inspect the conduct of subordinate officers, and cause their violations of duty to be prosecuted and punished. He may call meetings of the boards of aldermen and common council, or of either of them, although one or both of them may have been adjourned to a more distant day. He shall, from time to time, communicate to both of them such information and recommend such measures, as the business and interests of the city may, in his opinion, require. He shall preside in the board of aldermen, and in joint meetings of the two boards, but shall have only a casting vote. The salary of the mayor, for the first year in which this charter shall take effect, shall be one thousand dollars, and no more. He shall afterwards be compensated for his services by a salary to be fixed by the city council, in the month of March in each year, payable at stated periods; and he shall receive no other emolument. No regulation to change or diminish said compensation shall take effect until the expiration of the time for which the mayor in office at the time of such regulation shall have been chosen.

SEC. 4. *And be it further enacted*, that the executive powers of said city, generally, and the administration of police, with all the powers now possessed by the town council of the town of Providence, and of its members, by virtue of their offices, (whether said last mentioned powers are conferred by the general assembly or by the town,) except the power of passing by-laws and ordinances, shall be vested in the mayor and aldermen. All other powers now vested in, or by this charter conferred upon, the inhabitants or freemen of Providence, or in the town council thereof, shall be vested in the mayor and aldermen and the common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other. But elections of officers by the city

council shall be had in convention of the two boards, and whenever required by any member of the convention shall be by ballot. The city council may define the duties and fix the compensation and fees of officers, in cases where such duties, fees and compensation shall not be defined or fixed by the laws of this state; and may by concurrent vote, two thirds of the members present of each board voting in the affirmative, remove officers for misconduct. But no compensation shall be allowed to any member of the common council, nor shall any member of either board be eligible, within the time for which he shall have been elected as such, to any office of profit in the gift of the city council. Each alderman shall receive an annual salary of one hundred dollars, and no more. All officers shall be chosen and vacancies supplied for the current year, except as herein otherwise directed. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a just and proper accountability, by requiring bond, with sufficient penalty and surety or sureties, from all persons intrusted with the receipt, custody and disbursement of moneys; shall have the care and superintendance of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase and take, in the name of the city, such real and personal property as they may think useful to the public interest. All taxes ordered to be assessed by the city council, or by the general assembly, shall be assessed, apportioned and collected according to the modes prescribed by the laws of this state; and the city council shall, as often as once a year, cause to be published, for the information of the freemen, a particular account of receipts and expenditures, and a schedule of city property.

SEC. 5. *And be it further enacted*, that all the by-laws, ordinances and regulations heretofore made by the freemen of the town of Providence, or by the town council thereof, and now in force, shall, notwithstanding this Act, be and remain in force until they shall expire by limitation, or be repealed by the city council. And prosecutions and suits may be commenced and proceeded thereon, in the name of the city, or of the officers or other persons by said by-laws, ordinances and regulations empowered or directed to proceed and sue; and the fines and penalties recovered shall go to the uses in such by-laws, ordinances and regulations named, or according to law.

SEC. 6. *And be it further enacted*, that the judicial powers herein granted shall be exercised by a municipal court, to be holden by one judge, to be appointed by the city council; and

by a police court, to consist of so many of the justices assigned to keep the peace within said city by the general assembly, not exceeding three, as shall be annually selected by concurrent vote of the city council, and oftener in case of vacancy; any one of whom shall constitute a quorum. The said courts may punish for contempts, by fine and imprisonment. The judge of said municipal court shall hold regular terms, at such times and in such place in said city as may be appointed by ordinance of the city council, and may adjourn his court from time to time; and in case of his sickness or absence, the clerk of said court may adjourn the same to such time as may be necessary on that account. The said judge shall exercise the probate jurisdiction now exercised by the town council of Providence; and the probate business of said town council, unfinished at the time of his coming into office, shall be proceeded in and finished by the municipal judge. The municipal court shall have original jurisdiction of suits for offences against the by-laws, ordinances and regulations of the freemen of the town of Providence, of the town council of said town, and of the city council of said city, in which the penalty or fine shall exceed ten days' imprisonment, or twenty dollars. It shall have final appellate jurisdiction in suits originally brought at the police or justice's courts against inhabitants of said town or city, for offences against by-laws, in which the fine or penalty shall not exceed twenty dollars, or ten days' imprisonment. The judge of said court may empanel juries of the freemen of the city, to be drawn by the board of aldermen in the same manner as heretofore by the town council, to be taken up by writ of *venire facias*, or from the by-standers: and the plaintiff or appellant in said court shall pay to the clerk thereof the sum of five dollars for the trial of each cause, before the verdict thereon shall be rendered, to be by said clerk paid into the city treasury. It shall be lawful for said judge so to alter the form of writs and other process, whether of common law or probate, as to make the same consistent with the organization, style and jurisdiction of the court; and such writs and process shall have the same validity and extent, and be served, obeyed, enforced and returned in the same modes and by the same officers, as are the writs and other process from courts of common pleas and of probate: *provided, however*, that said writs and other process may also be served by the constables of said city. The said judge shall cause records of the proceedings, judgments, orders and decrees of the court to be kept by the clerk thereof, who shall be appointed by the city council. The judg-

ments, orders and decrees of said court, in cases originating therein, may be appealed from, as by law prescribed in cases originating in courts of probate or of common pleas. The supreme [judicial] court shall thereupon render final judgment. *Provided*, that nothing herein shall deprive any person of his writ of review, or of his right to petition the supreme [judicial] court for a new trial; and provided, also, that if said municipal judge shall be personally interested, or related within the ninth degree to a party in any cause in said court, and if any party in said cause shall object to him on that account, the mayor and aldermen shall appoint one of the aldermen to constitute said court, and act as municipal judge in that cause, who shall have the same power as the municipal judge. And in case the clerk of said court shall be a party in any writ or process therein, such writ or process shall be signed by the judge thereof. And all executions issuing from said court shall be returnable to the next term thereof.

SEC. 7. *And be it further enacted*, that the police court of said city shall have exclusive original jurisdiction of suits for offences against the by-laws, ordinances and regulations of the freemen of the town of Providence, of the town council of said town, and the city council of said city, in which the punishment shall not exceed ten days' imprisonment, or twenty dollars fine; [and shall be holden at such times and places in said city as may from time to time be provided by the city council. The justices thereof shall have the same power and jurisdiction which other justices of the peace have in criminal cases; and all writs and process signed by any one of them shall be valid to all intents and purposes. Said court shall keep a regular docket of all cases therein, shall record its judgments, orders and sentences, and furnish certified copies thereof, when required; and shall receive the same fees for all copies as are allowed by law to clerks of the courts of common pleas.]* In cases between inhabitants of the city, any party aggrieved by a judgment of said court may appeal to the municipal court; but in cases where one of the parties shall not be an inhabitant of the city, any party so aggrieved may appeal to the court of common pleas of the county; and the judgment of said municipal court, or court of common pleas thereon, shall be final: appeals may be had in all other cases as by general law provided.

SEC. 8. *And be it further enacted*, that for the purpose of holding elections, the said city shall be divided into six wards,

* See Act in addition.

to contain, as nearly as may conveniently be, an equal number of freemen. And it shall be the duty of the city council, from time to time, not more than once in five years, to revise, and, if it be needful, to alter said wards, in such manner as to preserve, as nearly as may be, an equal number of freemen to each. A quorum for the transaction of business in ward meetings shall consist of at least eleven freemen. In each ward there shall, annually, on the [third Wednesday of April,]* be chosen a warden and clerk, who shall hold their offices for one year, and until others shall have been chosen to their places. The wardens shall preside at the meetings of the wards, with the powers and duties of moderators of town-meetings; and the clerk shall record all the proceedings, and certify the votes given. [Immediately after the choice of warden and clerk, the freemen present shall elect, by a majority of the votes given in each ward, four of the freemen of said ward to be members of the common council. As soon as the requisite number of common council-men shall have been chosen,† each freeman shall carry in his written or printed ballot, endorsed with his name, for one freeholder, being a freeman of said city, for mayor; and six such freeholders, being freemen, that is to say, one from each ward in the city, to be aldermen thereof, for one year from the first Monday of June then next to ensue.] All the ballots for mayor and aldermen shall be sorted, counted, registered, declared, sealed up, certified and directed, in open ward meetings, to the city clerk, and shall be opened and counted by the board of aldermen, who shall cause written notice to be given to such persons, not then of the board, as shall have received a majority of the votes given; and if no mayor, or less than six aldermen, shall be chosen, or any person chosen shall refuse to accept, shall issue warrants for another election; and so, from time to time, shall order new elections, until a mayor and six aldermen shall have been chosen by a majority of the freemen voting. The said board may also, in case of vacancy in the office of mayor, happening within the year, direct such vacancy to be filled by a new election. On the first Monday of June, in each year, the mayor, aldermen and common council-men elect, shall meet in convention. The members elect of the common council shall deliver to the mayor, or presiding officer, their certificates of election; and the mayor shall administer to such of the

* Second Wednesday of May—Laws of R. I., p. 305.

† See act in amendment, for election of common council-men.

members of the two boards as shall be present, not already sworn or affirmed, the oath or affirmation herein before prescribed; and thereupon the convention shall ballot for a city clerk. The city clerk shall be clerk of the board of aldermen. He shall perform such duties as may be prescribed by the board of aldermen or city council, and discharge all the duties and exercise all the powers by law incumbent on or vested in the town clerk of the town of Providence, excepting as probate clerk; and all acts done by said city clerk, which were formerly required of said town clerk, shall have the same binding effect upon all persons as though done by said town clerk. He shall give notice, in one of the city papers, of the times and places of regular ward meetings; but the place of each regular ward meeting, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The said board of aldermen may, in the absence of the mayor, choose a president *pro tempore*, who shall preside at joint meetings of the two boards, and who shall also, in the absence of the mayor from the city, or in case of his inability, exercise, for the time being, all the powers and duties of mayor. The common council shall choose a president and clerk. Each board shall keep a record of its proceedings, and the yeas and nays of the members of either board, on any question, shall, at the desire of one fifth of those present, be entered on the journal. Each board may determine the rules of its proceedings, judge of the elections of its own members, and in cases of failure of elections, or of vacancy by death, absence, resignation or disability, may order new elections. A quorum for the transaction of business shall, in each board, consist of a majority of the members thereof.

SEC. 9. *And be it further enacted*, that elections of representatives from the city of Providence to the general assembly, and all general elections by the freemen, shall be held in the said city, at the ward meetings thereof. The votes given for representatives to the general assembly shall be endorsed with the names of the persons voting, shall be declared in open meeting, sealed up, certified and delivered to the city clerk. The votes given for general officers, for electors of president and vice-president of the United States, and for representatives to Congress, shall, at the close of the election, be also declared in open meeting, sealed up, certified and delivered to the city clerk. Those for representatives to the general assembly shall be opened and counted by the board of aldermen, who may order new elections, until the whole

number of representatives shall have been chosen; and every representative elect shall be furnished by the city clerk with a certificate of his election. [The packages of votes given for general officers for electors of president and vice-president of the United States, and for representatives to Congress, shall not be opened by the board of aldermen, but shall be by the city clerk, in open board, enclosed and sealed up, directed and delivered, according to law.*]

[SEC. 10. *And be it further enacted*, that inhabitants of the said city of Providence, legally entitled to become freemen thereof, may be admitted as such, by the board of aldermen and common council, in joint meeting; they having produced their deeds or other evidence of title, and been propounded on the records of said joint meeting, or in town meeting before the organization of the city government, at least three months before such admission, (except in cases of the eldest sons of freemen, and freemen of other towns possessing a sufficient freehold within the city,) and having otherwise conformed to the requisitions of law touching the admission of freemen. The names of all freemen shall be entered by the city clerk in a general list, alphabetically arranged; and it shall be his duty before making up the ward lists of freemen, hereinafter mentioned, to return to the board of aldermen the names of all persons who, having sold or been divested of their estates, shall be disqualified from voting. The said board of aldermen shall, at least ten days before all regular city and general elections, and as early as practicable before all other elections, cause a list of the freemen of each ward to be sent to the clerk thereof, who shall immediately post up a certified copy thereof, at the place of the ward meeting. And any freeman, not disqualified, whose name shall have been omitted from said list, shall nevertheless be admitted to vote, on producing to the warden a certificate of his qualifications from the board of aldermen, dated subsequently to the date of the ward list of freemen; which certificate shall be given by the clerk of the board, without fee. And any freeman whose name shall have been omitted as aforesaid, and who shall have omitted to procure said certificate, shall be admitted to vote, on making oath before the warden, (who is hereby authorized to administer the same,) that he is an inhabitant of the ward wherein he offers to vote, has been duly ad-

* For mode of making returns for general officers, presidential electors and representatives to Congress, see Constitution of State of Rhode-Island, and act to regulate the election of civil officers.

mitted a freeman of said city, and is really and *bona fide* qualified with sufficient estate, as is required by law, or is the eldest son of a freeman so qualified, and is an inhabitant of said ward. No person not on said list, not having a certificate as aforesaid, and not taking the oath abovementioned, shall vote, except as hereinafter provided. Freemen of other towns, residing in any ward of the city, may vote therein, for general officers, on producing certificates from the town clerk of such towns, as by law provided. In cases where the sufficiency of the estate of persons voting shall be disputed, and such persons shall make oath or affirmation of the sufficiency of such estates, according to law, the board of aldermen shall value such estates; and such persons shall not vote thereon at any subsequent election, unless the said board shall find them sufficient.*]

An Act in amendment of an act entitled "An Act to incorporate the city of Providence."

(Passed January 11, 1843.)

SECTION
1. Election of city council to be on second Wednesday of April.
2. Election of common council-men by ballot—plurality to elect.
3. Repeal of laws inconsistent with this act.

Be it enacted by the General Assembly, as follows:

SECTION 1. The election of the mayor, aldermen and common council-men of the city of Providence shall hereafter be holden on the second Wednesday of May in each year, instead of the third Wednesday of April.

SEC. 2. The election of the members of the common council shall be by written or printed ballots; and the election shall in all respects be conducted, and the ballots sealed up and returned in the same manner, as is required in the election of the mayor and aldermen. The four candidates in each ward who shall receive the highest number of votes shall be elected common council-men for that ward. The votes shall be opened and counted by the board of aldermen, who shall cause written notice to be given to such persons as shall have been elected.

SEC. 3. All such parts of the act of which this is in amendment as are inconsistent herewith are hereby repealed.

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* The provisions of section 10 are mostly obsolete, having been superseded by the constitution and election law of the state.

An Act in addition to an act to incorporate the city of Providence.

(Passed February 5, 1842.)

Justices of the police court—jurisdiction of—proceedings may be had by warrant or writ.

Be it enacted by the General Assembly, as follows:

SECTION 1. Any one of the justices of the police court of said city shall have the same original jurisdiction over all offences against the by-laws, ordinances and regulations of the freemen of the town of Providence, of the town council of said town, and of the city council of said city, as is now exercised exclusively by the police court of said city; and the same may be proceeded on either by complaint and warrant or writ; and the parties shall have the same right to appeal from any sentence or judgment of such justice as by the provisions of the charter of said city they now have to appeal from any judgment of the police court.

Extract from "An Act in relation to the election and duties of town officers."

(Digest of 1844.)

Wardens and ward clerks to be elected on second Wednesday of May.

SECTION 24. Wardens and ward clerks in the city of Providence shall be elected on the second Wednesday in May in each year, and shall hold their offices until others shall be elected and qualified by law to act in their places. They shall be sworn as other town officers are required to be.

ACTS OF THE GENERAL ASSEMBLY

RELATING TO

THE CITY OF PROVIDENCE.

An Act prescribing the qualifications of freemen entitled to vote in town meetings in Providence for management of the Dexter Donation.

(Passed January, 1845.)

Persons entitled to vote to impose tax, to be freemen.

It is enacted by the General Assembly, as follows:

SECTION 1. All persons who by the provisions of the constitution are entitled to vote in the city of Providence for members of the city council, or upon any proposition to impose a tax, or for the expenditure of money, are hereby declared to be freemen, entitled to vote in all town meetings holden in said city for the purpose of transacting business in relation to the property and estate devised to the town of Providence by the last will and testament of Ebenezer Knight Dexter, and the asylum and other town or city property connected therewith.

An Act in addition to an act entitled "An Act to enlarge and explain the powers of the town meetings and town council of the town of Providence."

(Passed January 19, 1828.)

Town of Providence authorized to assess tax for free schools.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted,* that the freemen of the town of Providence, in town meeting legally assembled, shall have the power of assessing and collecting taxes from time to time, in the same manner as other town taxes are assessed

and collected; and of appropriating the same to establish and maintain free schools therein, and to defray the expenses incident thereto.

An Act to authorize the city of Providence to establish a house of correction, and for other purposes.

(Passed October, 1833.)

Section		Section	
1.	City authorized to establish house of correction.		dence county jail, until house of correction shall be established.
2.	Keeper to be appointed—duties of—list to be presented to supreme court.	8.	Prisoners to be supported by city.
3.	City council to have power to appoint other officers.	9.	Board of aldermen may commit persons ordered to be removed.
4.	City council to have power to make regulations.	10.	Vagrants—who are deemed so.
5.	Commitments to be in writing—by whom to be executed.	11.	Disorderly persons—who are deemed so.
6.	House of correction to be deemed a common jail, so far that habeas corpus act may apply to it.	12.	Justices to commit vagrants and disorderly persons.
7.	Commitments to be made to Provi-	13.	Intoxication—how punished.
		14.	Who the board of aldermen may liberate.
		15.	Who the city council may liberate.

Section 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that it shall and may be lawful for the city of Providence to establish and maintain a house of correction within the limits of said city; in which said house of correction shall be confined all persons who may be legally committed thereto, as hereinafter provided.

Sec. 2. *And be it further enacted*, that the city council of said city of Providence be and they are hereby authorized and empowered to elect a keeper of said house of correction, at the time when said house shall be first established by virtue of this act; and afterwards a keeper of said house shall be elected by said city council at every annual election of city officers, and oftener in case of vacancy. And it shall be the duty of the keeper of said house, in addition to such others as may from time to time be prescribed to him by said council, to present to the supreme judicial court, upon the second day of every term thereof, which shall be holden within and for the county of Providence, a list of all persons in his custody within said house of correction; which list shall specify the several dates and causes of the commitment of such persons, the tribunal by which they were ordered to be confined, and the time for which they were respectively committed.

Sec. 3. *And be it further enacted*, that the city council aforesaid shall have power to appoint, from time to time, besides a keeper of said house of correction, such other officer

or officers thereof as they the said council may deem expedient; and the same, as well as said keeper, to remove at any time by concurrent vote, two thirds of the members present of each board voting in the affirmative; and all said officers shall be duly sworn or affirmed to the faithful discharge of the duties of their respective offices.

SEC. 4. *And be it further enacted*, that the city council aforesaid be and they are hereby authorized to make, ordain and establish, from time to time, all such by-laws, ordinances, rules and regulations for the government of said house of correction, and the persons committed thereto, as said council may deem needful and proper: provided that said by-laws, ordinances, rules and regulations be not repugnant to the laws of this state.

SEC. 5. *And be it further enacted*, that every commitment to said house of correction shall be by precept in writing; which precept, in all cases not otherwise provided for by law, shall be executed by the city marshal, the city sergeant, or some one of the constables of said city; and each commitment shall be entered by the officer making the same in a book to be provided by said city, and kept at said house for that purpose.

SEC. 6. *And be it further enacted*, that said house of correction shall be deemed a common jail, and the keeper thereof an officer, so far as to render applicable thereto as such the provisions of the act of the general assembly entitled "An Act directing the process upon writs of habeas corpus."

SEC. 7. *And be it further enacted*, that the mayor, the board of aldermen, the municipal court, the police court, and any one or more of the justices of the peace for said city, be and they hereby are severally authorized and empowered to commit to the state's jail, in the county of Providence, until said house of correction shall be established, and afterwards to commit, at their discretion either to said jail or to said house of correction, all persons whom by this act, by the act of the general assembly entitled "An Act to incorporate the city of Providence," or by any present or future ordinance of the city council of said city, passed in pursuance of the provisions of said last mentioned act, they the said mayor, board of aldermen, municipal court, police court, and justices of the peace, now are or hereafter may be authorized to commit, or order to be committed to prison. And the several persons who may be committed to the house of correction aforesaid shall be kept therein at hard labor, either in solitary confinement or otherwise; or shall be kept in solitary

confinement without labor; or shall suffer solitary imprisonment without labor for a part of the time for which they shall be committed, and be afterwards kept at hard labor, either in solitary confinement or otherwise, for the remainder of said term, as shall be prescribed in and by the respective sentences or orders by force of which such person shall be so committed. And the several tribunals and magistrates aforesaid are hereby required to specify in and by their said sentences and orders, as well the mode as the duration of imprisonment: *provided, however*, that no person shall be condemned to solitary imprisonment without labor for a longer period than ten days, for any one offence.

SEC. 8. *And be it further enacted*, that the city of Providence shall be liable to pay to the jailer of the county of Providence for the time being, such sum for the weekly support of each and every person committed to the jail in said county, under and by virtue of any of the provisions of this act, as shall be allowed and paid by the state, from time to time, for the weekly support of each state prisoner in said jail.

SEC. 9. *And be it further enacted*, that the board of aldermen of said city be and they hereby are authorized to order any person who shall appear, upon examination before said board, to have no legal settlement within this state, and who shall be adjudged by said board to be an unsuitable person to become an inhabitant of said city, to depart from and out of said city, within such time as said board shall appoint; and in case any such person shall not depart from said city within the time specified in such order, or shall at any time after the expiration of said specified period be found within said city, without permission first had and obtained from said board of aldermen, and in case any person legally removed from said city by order of removal shall return thereto without permission first had and obtained from said board of aldermen, said board of aldermen are further authorized and empowered to commit every such person to prison, for a term not exceeding three months: *provided, nevertheless*, that nothing in this act contained shall be construed to prevent said board of aldermen from proceeding under and according to the act of the general assembly, entitled "An Act in amendment of an act entitled an act providing for the relief, support, employment and removal of the poor," in any case wherein they may deem it expedient, in the same manner and to the same effect as if this act had not been passed.

SEC. 10. *And be it further enacted*, that all persons who, being habitual drunkards, are destitute and without visible means of support, or who being such habitual drunkards shall abandon, neglect or refuse to aid in the support of their families, and shall be complained of by such families; all common prostitutes who have no lawful employment whereby to maintain themselves; all idle persons who being of doubtful reputation and having no visible means to maintain themselves live without employment; all able bodied or sturdy beggars who may apply for alms or solicit charity; all persons wandering abroad, lodging in watch-houses, out-houses, market-places, sheds, stables or uninhabited buildings, or in the open air, and not giving a good account of themselves; and all persons who go about from door to door, or place themselves in the streets, highways, passages or other public places within the said city of Providence, to beg or receive alms, shall be deemed vagrants.

SEC. 11. *And be it further enacted*, that all persons who may have actually abandoned their wives or children in said city of Providence, without adequate support, leaving them in danger of becoming a charge upon the public, or who may neglect to provide according to their means for the support of their wives or children; all common prostitutes; all keepers of bawdy houses, or houses for the resort of prostitutes, drunkards, tiplers, gamesters, or other disorderly persons; all persons who keep in any public street, highway or other public place, or in any house, out-house or other building, or in any yard, garden, or other place possessed, occupied or used by them, any cards, dice-tables, bowls, wheel of fortune or other tables, box, machine or device for the purpose of gaming; all persons who go about with such table, wheel or other machine or device, exhibiting tricks or gaming therewith; all persons who play in any public street, highway or other public place, with cards, dice, or any other instrument or device for gaming; all jugglers, common showmen and mountebanks, who exhibit or perform for profit any puppet-show, wire or rope dance, or other idle shows, acts or feats, in the public streets, highways or other public places; and all itinerant musicians who perform in the public streets, highways or other public places, shall be deemed disorderly persons.

SEC. 12. *And be it further enacted*, that any person who shall be convicted before any one or more of the justices of the peace for said city of Providence, of being a vagrant, or a disorderly person, may be committed to prison by the mag-

istrate or magistrates before whom he or she shall be so convicted, for a term not exceeding three months.

SEC. 13. *And be it further enacted*, that any person who shall be intoxicated under such circumstances as shall, in the opinion of any one or more of the justices of the peace aforesaid, amount to a violation of decency, may be convicted of such offence by any such justice or justices, either upon his or their own knowledge, or upon complaint duly made and supported by competent testimony; and such person so convicted may be fined for such offence, in any sum not exceeding five dollars; and in default of payment of such fine, together with the costs of prosecution, such person so convicted may be committed to prison by such justice or justices, until said fine and costs shall be paid: *provided, however*, that such person shall not be kept in imprisonment for a longer period than ten days for any one default.

SEC. 14. *And be it further enacted*, that it shall and may be lawful for the board of aldermen of said city to liberate and discharge, at their discretion, any person committed to prison by order of said board, before the expiration of the time for which such person shall have been committed, upon such conditions as said board may think proper; and in case any person so liberated shall fail to fulfil the conditions prescribed, said board may recommit said person to prison, for and during the remaining portion of the term of confinement originally ordered.

[SEC. 15. *And be it further enacted*, that it shall and may be lawful for the city council of said city of Providence to liberate and discharge, at their discretion, any person committed to prison for the violation of any ordinance passed by said city council; or who shall be committed by any one or more of the justices of the peace for said city, under and by virtue of any of the provisions of this act, notwithstanding the time for which such person shall have been committed may not have expired, upon such conditions as said city council may deem proper; and in case any person so liberated shall fail to fulfil the conditions by said city council prescribed, the court, magistrate or magistrates by whose sentence such person may have been originally committed, shall, upon due proof of such failure, recommit such person to prison, for and during the remaining portion of the term of confinement originally ordered.]*

* Repealed—see act in amendment.

An Act in amendment of "An Act to authorize the city of Providence to establish a house of correction, and for other purposes."

(Passed October, 1843.)

SECTION
1. Authority of mayor or board of aldermen to liberate persons committed.
SECTION
2. Repeal of part of former act.

It is enacted by the General Assembly, as follows:

SECTION 1. It shall be lawful for the mayor or the board of aldermen of the city of Providence to liberate and discharge, at his or their discretion, any person committed to prison for the violation of any ordinance passed by the city council of said city; or who shall be committed by any one or more of the justices of the peace for said city, under and by virtue of any of the provisions of the act of which this is in amendment, notwithstanding the time for which such person shall have been committed may not have expired, upon such conditions as said mayor or board of aldermen may deem proper; and in case any person so liberated shall fail to fulfil the conditions by said mayor or board of aldermen prescribed, the court, magistrate or magistrates by whose sentence such person may have been originally committed, shall, upon due proof of such failure, recommit such person to prison for and during the remaining portion of the term of confinement originally ordered.

SEC. 2. The fifteenth section of the act of which this is in amendment is hereby repealed.

An Act concerning the appointment of watchmen and special constables in the city of Providence.

(Passed January, 1845.)

SECTION
1. Watchmen may be appointed by mayor and aldermen.
SECTION
2. Special constables may be appointed by mayor or board of aldermen—powers of.

It is enacted by the General Assembly, as follows:

SECTION 1. The mayor and aldermen of the city of Providence are authorized to appoint so many watchmen for said city as the city council of said city may deem expedient; who shall hold their offices during the pleasure of said board.

SEC. 2. The mayor or the board of aldermen of said

city are authorized to appoint special constables for said city, whenever in his or their opinion it may be expedient; and such constables shall hold their offices for the day on which they are appointed and the two succeeding days; but they shall not be required to give any bond, nor shall they be authorized to serve any civil process; but in all other matters they shall have the same power and authority as other constables.

An Act to establish a court of magistrates in the city of Providence.

(Passed January, 1845.)

SECTION
1. Court established—seven justices—how selected.
2. Jurisdiction of court.
3. City charter and house of correction act—powers given by them continued.
4. Proceedings in cases of examination of persons charged with crimes.
5. Persons refusing to recognize to be committed.
6. Proceedings in criminal cases.
7. Four justices to form quorum.
8. Court to elect presiding justice—to establish seal.
9. Court to meet Monday and Thursday, &c.
10. Appeals how made.
11. Clerk to be elected.
12. Clerk—duties of.—Judge of supreme court to examine record.
13. Writs and summons by whom signed, &c.
14. Clerk to receive fines and costs—to give bond—to make report.
15. Penalty for neglect of clerk.
16. Forms of writs—proceedings—powers of court, similar to justices of peace.
17. Fees same as justices of peace.
18. Time for this act to go into operation.
19. Repeal of acts inconsistent herewith.

It is enacted by the General Assembly, as follows:

SECTION 1. There shall be a court in the city of Providence called the Court of Magistrates, to consist of seven persons, to be annually, and from time to time as vacancies may occur, selected and appointed by the city council of said city, in convention, out of the justices of the peace for said city, appointed by the general assembly, or elected by the city of Providence; and no member of said court shall be retained or act in any way as counsel in any cause pending before the same.

SEC. 2. The said court shall have exclusively the same jurisdiction in all civil actions, and in all criminal cases and proceedings in said city, as is or may be given by law to justices of the peace in other towns, except as provided in the third section of this act; and shall have jurisdiction over no other matters, causes or proceedings.

SEC. 3. The powers given to the mayor, board of aldermen, city council, municipal court, police court, or to any one or more of the justices of the peace of the city of Providence, by the act entitled "An Act to incorporate the city of

Providence," or by the act entitled "An Act to authorize the city of Providence to establish a house of correction and for other purposes," and the acts in addition to and in amendment thereof, may continue to be exercised by them severally. And the court hereby established, and each of the members thereof, may have and exercise, concurrently with one or more justices of the peace of said city, the power and jurisdiction given to said justices of the peace by said last mentioned act.

SEC. 4. Whenever any person is brought before said court charged with an offence, the punishment whereof is by law beyond the jurisdiction of said court, or is so placed within the discretion of the court trying him that it may or may not exceed the jurisdiction of the court, the said court may proceed to an examination, and bind him by recognizance, with surety or sureties in such sums as they think proper, to appear at the next term of the supreme court or court of common pleas, in the county of Providence, and not to depart therefrom without leave, and in the mean time to be of good behavior and keep the peace; or if the case be within their jurisdiction according to the discretion aforesaid, may proceed to a trial of such person, and if he be found guilty may sentence him to a punishment within their power to inflict; or should they deem such punishment inadequate to the offence may bind him by recognizance, with surety or sureties as aforesaid.

SEC. 5. Any person refusing to give recognizance when required by said court shall be committed to the county jail in said county, until such recognizance be given, or he otherwise be lawfully discharged therefrom.

SEC. 6. The proceedings in all criminal cases in said court shall be commenced by complaint and warrant in the manner provided by law for the commencement of criminal cases before justices of the peace in other towns. And the warrant shall be signed by one of the members of said court; and any justice of said court is authorized and empowered to take the recognizance of any person apprehended upon such complaint and warrant, for his appearance at the time of the next regular meeting of said court; and in default of such recognizance being given, to commit the person so apprehended to the jail in said county, there to remain until the next court day, or until such recognizance be given, or he be otherwise lawfully discharged therefrom: and either of said justices is hereby empowered to sign a mittimus for that purpose: and the justice taking said recognizance shall be en-

titled to the same fees therefor as if the same were taken to a higher court.

SEC. 7. Any four of the members of said court shall be a quorum; but any one in the absence of the others may adjourn the court.

SEC. 8. Said court may annually, or oftener if occasion require, elect one of its members as presiding justice thereof; and shall have power to adopt a seal for said court.

SEC. 9. Said court shall meet on the Monday and Thursday of each week, and may meet on such other days, either originally or by adjournment, as they may think proper. And any action, complaint or other proceeding therein, whether of a civil or criminal nature, may be adjourned to the next or some future session of the court.

SEC. 10. Appeals from the judgment of said court may be made in the same manner as is or may be by law provided for appeals from judgments rendered by justices of the peace.

SEC. 11. Said court shall annually elect one of its members as the clerk thereof; and in case of his death, absence or inability to perform the duties of his office, they may appoint from their own members another clerk, either pro tempore, or for the remainder of the year, as the case may require.

SEC. 12. It shall be the duty of the clerk to keep a docket of all actions, complaints or proceedings, either of a civil or criminal nature, that may be entered or had in said court; and to note on the same, against each case, the judgment therein or determination thereof, and in all criminal cases the fine or imprisonment to which the defendant may be sentenced. He shall also record the judgments and proceedings of said court in a book to be kept for that purpose; and tax the costs in all cases, civil and criminal, in said court, and subject to the revision of the court. One of the justices of the supreme court shall certify at each May session of the general assembly, whether the records have been faithfully and fully kept and made up by the clerk; and in case the said clerk shall not have recorded the judgments and proceedings of said court, the said clerk shall be ineligible to hold the office of a justice of said court.

SEC. 13. Original writs in civil cases returnable to said court shall be signed by the clerk thereof, under the seal of said court, in blank or otherwise, and bear teste of the presiding justice of said court. Summonses to witnesses in cases before said court may be signed by the clerk, or any of the members of said court; and all other executions or other

process issuing from said court, whether in civil or criminal cases, shall be signed by the clerk, under the seal of said court, and shall bear teste of the presiding justice thereof.

SEC. 14. The clerk of said court shall receive all fines and costs in criminal cases that may be paid in pursuance of any judgment or sentence thereof, and shall pay to the witnesses and other persons entitled thereto their several portions of said costs; and shall give bond with sufficient surety to the general treasurer, to be by him approved, in the sum of one thousand dollars; which bond shall be upon the condition following, viz., faithfully to discharge the duties of his office according to law, and seasonably to record the judgments and determinations of said court, and to pay over to the general treasurer the fines received, and to the witnesses and other persons entitled thereto their several portions of the costs received by him, and once in three months to pay over to the general treasurer all sums due to such witnesses or other persons which shall have remained unclaimed for the space of three months. He shall, on the first Tuesday in May and November of each year, make a report in writing to the general treasurer of all the fines received by him, and shall at the same time send to the general treasurer a copy of so much of the docket of said court as shall be necessary to give him full information of all the criminal cases and proceedings in said court, of the judgments rendered therein, and of all the fines and costs received by said clerk.

SEC. 15. For any wilful neglect of said clerk to make such report, or to send a copy of said docket, or to pay over the fines by him received, as is required in the preceding section, he shall forfeit and pay the sum of fifty dollars for each offence, and also double the amount of the fines received by him and not paid over as aforesaid; to be recovered by indictment in any court of competent jurisdiction.

SEC. 16. The form of writs in civil cases returnable to said court shall be substantially the same as those returnable to justices' courts; and all the proceedings in said court, in the hearing, trial and determination of all actions or complaints pending before them, and in all matters relating thereto, shall be substantially the same as the proceedings in like cases before justices of the peace. And the said court shall have all such powers as may be necessary or proper for the discharge of their duty in the same manner as justices of the peace might do in the like cases.

SEC. 17. The said court shall be allowed the same fees that are or may be by law allowed to justices of the peace in

similar cases. Such fees shall be divided equally between them, or in such manner as they may agree.

SEC. 18. This act shall go into operation on the first Monday of June next, but nothing herein contained shall be construed to hinder or prevent any justice of the peace in the city of Providence from proceeding in hearing or determining and issuing execution in any suit, civil or criminal, then or for ten days thereafter by him commenced, or which may be pending before him, in the same manner as if this act had not been passed.

SEC. 19. All acts and parts of acts relating to justices of the peace, so far as inconsistent herewith, are hereby repealed.

An Act in amendment of "An Act providing for the relief, support, employment and removal of the poor.

(Passed July 1, 1842.)

SECTION
1. Mayor to have power to remove, &c. pauper.
SECTION
2. Warrants, &c., to be signed by mayor and sealed with city seal.

Be it enacted by the General Assembly, as follows:

SECTION 1. The mayor of the city of Providence shall have the same power and authority that the board of aldermen of said city have, to receive complaints made by the overseers of the poor in said city, concerning any person not legally settled therein; to command such person to be brought before him for examination, and him or her to examine, and at his discretion to command to depart from said city; to fine, bind out, commit to prison, or order to be removed to the place of his or her last settlement.

SEC. 2. All warrants, indentures, commitments or orders of removal, made under the authority of this act, shall be signed by the mayor by whom they are made, and sealed with the seal of said city; and shall be executed in the same manner as are warrants, indentures, commitments or orders of removal made by the board of aldermen of said city.

An Act in addition to an act, entitled "An Act for laying out highways."

(Passed 1821.)

SECTION
1. Highways may be laid out in Providence, upon petition.
SECTION
2. Town not obliged to repair them until specially ordered by town council.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that when any petition or petitions shall be preferred to the town council of the town of Providence, by the owner or owners of any land holden in fee simple in said town, praying that a public highway or highways may be laid out through his, her or their said land, without any damages to be awarded to him, her or them, and that said town shall not be obliged to be at any expense for repairing said public highway or highways, until said town council shall afterwards decree that the same shall be repaired at the expense of said town, the said town council shall have power and authority to cause such highway or highways to be laid out, established, confirmed and opened, in the same way and manner as is provided by the act to which this is in addition.

SEC. 2. *And be it further enacted*, that the said town of Providence shall not be liable or obliged to repair such highway or highways so laid out, established and opened, according to this act, until the said town council shall order and decree that the same shall be repaired at the expense of said town, in the same way and manner as other highways in said town.

An Act declaring certain private streets and gangways in the town of Providence, in the county of Providence, to be public highways.

(Passed January 22, 1822.)

SECTION
1. Certain streets declared to be public highways.
SECTION
2. When to be repaired.

Whereas Philip Crapo, Thomas Burgess and Benjamin Hoppin, all of Providence, in the county of Providence, together with Benjamin Clifford and Samuel Y. Atwell, execu-

tors of the last will and testament of Amos M. Atwell, late of said Providence, deceased, have preferred their petition to this general assembly, setting forth that the said Philip Crapo, Thomas Burgess, Benjamin Hoppin and Amos M. Atwell were heretofore seized and possessed of two tracts of land, situate in the westerly part of said Providence, and adjoining each other, and which are named and described in one deed from Hetty Atwell, to them and Sullivan Moulton, dated on the 28th day of September, 1808, and recorded in said Providence, in book number thirty, and pages four hundred and thirty-six and four hundred and thirty-seven; and one deed from Richard Jackson, Jr. to the same persons, dated on the same day, and recorded in the same book, in pages four hundred and thirty-seven and four hundred and thirty-eight; which lands they the said Philip Crapo, Thomas Burgess, Benjamin Hoppin and Amos M. Atwell laid out and platted into lots, streets and gangways, and caused the plat thereof to be recorded in the same book, between pages four hundred and thirty-nine and four hundred and forty; and praying that the same streets and gangways may be declared and made public streets; which petition has been approved by said town: therefore—

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that all of said streets and gangways which are laid out on or through said two tracts of land, and which are delineated on the record of said plat, shall be and the same are hereby made and declared to be public highways, to all intents and purposes; and that all persons who shall make, erect or continue any obstruction, encroachment or nuisance on any of said highways shall be liable to prosecution by indictment therefor.

SEC. 2. *Provided, however, and be it further enacted*, that the said town of Providence shall not be liable to repair said highways, until the town council of said town shall resolve or decree that it is proper for the town to repair the same.

An Act concerning the establishment of highways in the city of Providence.

(Passed January, 1843.)

SECTION
1. Highways may be laid out on petition.
2. Highways, plats of which have been recorded, may be established.
3. Highways may be laid out by vote of mayor and aldermen, where parties living in the state assent, and advertisement is duly published.
SECTION
4. Highway may be laid out on petition of parties living in the state, if plat have been recorded.
5. Land used as a highway for twenty years may be declared public highway.

Be it enacted by the General Assembly, as follows:

SECTION 1. Whenever any owner or owners of land in the city of Providence shall present to the mayor and aldermen of said city their petition, praying that a street or highway be established upon their land, it shall be lawful for said mayor and aldermen to establish such street or highway, by declaring it to be a public highway, and ordering it to be recorded as such; which, when so established, shall be a public highway to all intents and purposes.

SEC. 2. Whenever the owners of any land in said city, adjacent to any land in said city which has been surveyed, marked out and platted as a street or highway, the plat thereof recorded in the records of said city, shall present their petition to said mayor and aldermen, praying that such street or highway may be established as a public highway, it shall be lawful for said may or and aldermen so to establish the same, in manner as provided in the first section of this act; which, when so established, shall be a public highway to all intents and purposes.

SEC. 3. Whenever said mayor and aldermen deem it expedient that any street or highway shall be laid out and established in said city, and all the owners of the land proposed to be taken therefor who reside in this state shall give their consent in writing that such street or highway shall be laid out and established, the said mayor and aldermen shall cause notice to be given to all persons interested living out of the state, by advertisement at least once a week for three successive months in one of the newspapers printed in said city, stating the time when the laying out and establishing such highway will be considered by said mayor and aldermen; and if at such time no person interested shall appear to object thereto, it shall be lawful for said mayor and aldermen to lay out and establish, in manner as provided in the first section of this act, such street or highway; which, when so laid out and established, shall be a public highway to all intents and purposes.

SEC. 4. Whenever all the persons living in this state who own land adjacent to any land in said city which may have been surveyed, marked out and platted as a street or highway, and the plat thereof recorded in the records of said city, shall present to said mayor and aldermen their petition, praying that such street or highway may be established as a public highway, it shall be lawful for said mayor and aldermen to proceed and give notice to all persons interested living out of the state, by advertisement in the manner provided in the

third section of this act; and if no person interested shall appear to object, it shall be lawful for said mayor and aldermen to establish, in manner as provided in the first section of this act, such street or highway as a public highway; which, when so established, shall be a public highway to all intents and purposes.

SEC. 5. The act entitled "An act in amendment of an act entitled an act for laying out highways," passed at the January session, A. D. 1829, is hereby declared to be inoperative and of no effect in the city of Providence; and it shall hereafter be lawful for the mayor and aldermen of said city to declare any land that has been quietly, peaceably and actually used and improved for twenty years as a public street or highway, to be a public highway, as by the seventh section of the "Act for laying out highways," town councils were authorized to do prior to the passage of the before named act.

An Act concerning side-walks in the town of Providence.

(Passed 1821.)

SECTION
1. Sidewalks to be repaired by owners of adjoining lands.
2. Commissioners to be appointed—power.—This power is now exercised by the street commissioners.
3. Owners to be notified to make repairs.—Proceedings in case of neglect.
4. Repairs to be done under inspection of surveyor of highways.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that from and after the passing of this act, the side-walks in the streets and highways in the town of Providence shall be built, altered and repaired at the expense of the owners of the adjoining lands, in the way and manner hereinafter provided.

SEC. 2. *And be it further enacted*, that the freemen of said town, at their annual election of town officers, shall appoint three of their number, who shall be called commissioners of side-walks, and who shall have power and authority, and whose duty it shall be to superintend, order and direct the manner of building, altering and amending the side-walks, and to order and determine of what height and width the same shall be, and of what materials the walks shall be composed, and how and with what secured and finished; with power to alter and improve those already made, in such way

and manner as they think the public convenience requires; to build or alter any wall on any lot adjoining the street, and to remove any steps, posts, cellar-doors or other obstructions in the side-walks.

SEC. 3. *And be it further enacted*, that when the said commissioners shall have determined in what manner, and of what materials, and within what time, any new side-walk shall be made, or in what manner and within what time any old side-walk shall be altered and improved, they shall cause written or printed notice thereof to be personally given to the owner of the adjoining lot, if residing within the town of Providence, particularly describing the materials, width, height and manner the side-walk shall be built, or the alteration to be made; but if the owner shall not reside in said town, then the notice shall be given to the tenant in possession; but if no tenant shall be in possession, then the same shall be published in one of the newspapers for the town of Providence, for three successive weeks; at the expiration of the time so limited by the commissioners, if the work shall not have been performed or proceeded in according to the directions of the said commissioners, they shall, in their discretion, order the surveyor of the highways for the time being to proceed at the expense of the town, and execute the directions so by them given to the owner; a copy of which order shall be by them given to said surveyor; and when the same shall be by him accomplished, it shall be the duty of the commissioners to certify the expenses thereof to the assessors of taxes for said town, together with ten per cent. in addition thereto, to cover the interest, cost of assessing and collection; and the said sum so certified shall be by the assessors added to the tax of the owner of such adjoining lot, so neglecting as aforesaid; which proceedings shall be conclusive; and the said owner with his estate shall be responsible therefor, in the same manner as for other taxes.

SEC. 4. *And be it further enacted*, that any side-walk which may be hereafter built, altered or repaired by the owner of the adjoining lot, shall be done under the inspection of the surveyor of the highways for the time being, and in pursuance of the directions given by the commissioners aforesaid for that purpose: and that until the next annual election of town officers, Edward Carrington, Charles Dyer and Dexter Thurber be and they are hereby appointed commissioners of side-walks, and authorized and required to carry this act into full effect.

An Act in addition to an act, entitled "An Act concerning side-walks in the town of Providence."

(Passed October 29, 1823.)

SECTION
1. Corporations not liable to taxation to repair side-walk.
SECTION
2. Proceedings in case of neglect.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that the several societies owning real estate in said Providence shall be liable to the same regulations as private individuals are liable, by the act to which this act is in addition; notwithstanding they may be exempt from taxation in other respects; notice being given, as is required in the third section of said act, to the treasurer of any such society.

SEC. 2. *And be it further enacted*, that if any society shall refuse to lay or repair their side-walks, after being notified as is required by the act to which this is in addition, then the commissioners may proceed as in other cases provided by law; and after it is finished they shall certify the expenses thereof, with ten per cent. addition, as in other cases, to the assessors of taxes in said town; which sum, so certified, shall be collected of said society, in the same manner as is provided by law for collecting taxes.

An Act in amendment of an act entitled "An Act concerning side-walks in the town of Providence."

(Passed January 18, 1841.)

SECTION
1. Second section of former act repealed in part.
SECTION
2. Powers of side-walk commissioners vested in city council, or officers appointed by them.

Be it enacted by the General Assembly, as follows:

SECTION 1. So much of the second section of the act to which this is in amendment as requires the annual appointment of three commissioners of side-walks is hereby repealed.

SEC. 2. All the powers given by said act to the side-walk commissioners shall, after the first Monday of June next, be vested in the city council of the city of Providence, or in case of the death or resignation of the present side-walk commissioners, then the said powers shall be forthwith vested

in said city council; and the said city council is hereby authorized, either by a committee of their own body or by any person or persons appointed by them, to proceed in the same manner and with the same powers as are granted to the sidewalk commissioners, in and by the said act to which this is in amendment.

An Act authorizing the town council of the town of Providence to prevent the passing of carriages through the streets adjacent to the houses of public worship in said town on Sundays, during the time of divine service.

(Passed 1815.)

SECTION
1. Town council to have power to prevent carriages from passing on Sunday through certain streets.
2. Penalty.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that the town council of the town of Providence be and they are hereby authorized and empowered to adopt and carry into execution such measures as they may deem proper to prevent the passing of carriages through the streets adjacent to the houses of public worship in said town on Sundays, during the time of divine service.

SEC. 2. *And be it further enacted*, that every person who shall wilfully violate any such regulation adopted by the said town council shall forfeit and pay the sum of ten dollars, to and for the use of the said town of Providence, to be recovered in an action of debt, in the name of the town-treasurer, before any court proper to try the same.

An Act to prevent excessive riding in any of the places therein mentioned.

(Digest of 1844.)

SECTION
1. Penalty for excessive riding in certain towns.
2. Parts of East-Greenwich and Warwick included, defined.

It is enacted by the General Assembly, as follows:

SECTION 1. If any person shall ride faster than a common travelling pace, in any of the streets of the town of

Newport or Providence, or in such parts of the towns of Warwick and East-Greenwich as are herein after described; or in the compact part of the towns of Bristol or Warren; or in that part of North-Providence called Pawtucket; or in that part of South-Kingstown called Kingston; or in that part of Warwick called Apponaug; or in that part of North-Kingstown called Wickford; or in that part of Warwick and Cranston called Pawtuxet; such person shall pay as a fine the sum of two dollars for every offence; one half thereof to the informer, and the other half to and for the use of the town where such offence shall be committed; to be recovered upon complaint thereof made before any one justice of the peace in the town where the offence shall be committed, with costs, unless justifiable cause for such riding shall be made to appear before such justice of the peace who shall try the same; which trial and judgment thereon shall be final.

SEC. 2. The part of the towns of East-Greenwich and Warwick, first mentioned, where such excessive riding is by this act prohibited, hereby is declared to extend from the house of the late Rufus Greene, in said East-Greenwich, unto the house of the late Gideon Casey, in Warwick.

An Act to prevent damage being done to Weybosset Bridge, in Providence.

(Digest of 1844.)

Penalty for fastening vessel to Weybosset Bridge.

It is enacted by the General Assembly, as follows:

Whosoever shall fasten any vessel to any part of Weybosset bridge shall forfeit and pay the sum of twenty dollars for every offence; to be recovered by the city treasurer of Providence, for the time being, in an action of debt before any justice of the peace in said city, to and for the use of said city.

An Act relative to the harbor and public waters of the town of Providence.

(Passed 1822.)

SECTION
1. Town may prevent encroachment.
2. Boundaries of harbor established.
3. Penalty for encroaching.
4. Penalty for violating town regulations in relation to harbor.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that the town of Providence be and the said town hereby is authorized and empowered to prevent encroachments or obstructions in the harbor of said town, in the cove above the bridge, and in the other public waters thereof; and to make such laws, rules and regulations for the preservation of said harbor, cove and waters, from encroachments and obstructions, as said town shall think proper from time to time to make and enact.

SEC. 2. *And be it further enacted*, that the proceedings of said town, on the thirteenth and twenty-fourth days of July, and the twenty-ninth day of August, A. D. 1815, relative to the defining and ascertaining the bounds of said harbor, be approved and established, and the boundaries and lines mentioned and described in the report of the committee be and the same are hereby established, except only that the course from a stake at Simmons' wharf, to the bluff near the south-east corner of John Corlis' farm, stated to be, in said report, south fifteen and a half degrees east, be corrected, according to the plat made by said committee, to the course of south nine and a half degrees east.

SEC. 3. *And be it further enacted*, that if any person or persons shall encroach upon any part of the said harbor, as defined, ascertained and established in and by the next preceding section of this act, by erecting or placing therein any wharf, building or other fixed obstruction, or neglecting to keep in good repair any wharf or lot adjoining the harbor, for the preservation of the channel, he, she or they so offending shall forfeit and pay a sum not less than fifty nor more than five hundred dollars, to be recovered by action of debt, before any court proper to try the same; one half thereof to and for the use of said town of Providence, and the other half thereof to and for the use of the person or persons who shall sue for the same: and it shall moreover be lawful for the town council of said town to cause such obstruction to be removed at the cost and charge of him, her or them, who shall have so erected or placed the same, or caused the same to be so erected or placed as aforesaid.

SEC. 4. *And be it further enacted*, that if any person or persons shall violate any of the laws, rules or regulations that may be at any time made by said town of Providence, for the preservation of the channel, and for the prevention of any encroachments or obstructions in the harbor of said town, or the cove above the bridge, or in the other public waters thereof, other than of the kind mentioned and described in

the next preceding section of this act, he, she or they shall forfeit and pay a sum not less than two nor more than twenty dollars for each offence, to be recovered by action of debt, before any justice or justices of the peace of the said town; one half thereof to and for the use of said town, and the other half thereof to and for the use of the person or persons who shall sue for the same.

An Act in addition to an act entitled "An Act relative to the harbor and public waters of the town of Providence."

(Passed January 21, 1837.)

SECTION
1. No person shall fill out any part of the waters covered by ordinary tides, unless permanent wall be built.
2. Penalty.

Be it enacted by the General Assembly, as follows:

SECTION 1. No person or persons, corporation or corporations, shall fill out, or cause or procure to be filled out, with any material whatever, any flat, shoal or piece of land covered with tide waters at ordinary tides, within the limits of the city of Providence, unless he, she or they shall, before the commencement of or proceeding upon such work, build, erect or place, or cause to be built, erected or placed, upon the outer line of the flat, shoal or piece of land intended by him, her or them to be filled out, and also upon so much of the lines on both sides thereof as may adjoin any flat, shoal or piece of land covered with tide waters as aforesaid, a good permanent stone wall of proper depth, width, height and compactness, and well and sufficiently secured to prevent the mud or any other material within said lines from being washed or pressed outward into or towards any part of the harbor of said city, of the cove above the bridge, or of any other public waters thereof: *provided* the board of aldermen of said city shall require said wall or walls to be built; and said work shall be done and finished in such manner, and composed of such materials, as the board of aldermen of the city shall direct and approve.

SEC. 2. If any person or persons, corporation or corporations, shall violate the preceding section of this act, or shall neglect to keep in good repair any such wall as shall have been built, erected or placed aforesaid, he, she or they so offending shall forfeit and pay, to and for the use of said city

of Providence, a sum not less than five hundred nor more than ten thousand dollars, to be recovered by action of the case, in the name of the city treasurer of said city, before any court proper to try the same.

An Act in addition to "An Act relative to the harbor and public waters of the town of Providence."

(Passed October 27, 1841.)

SECTION
1. No person to build any wharf, &c., in cove, without permission from the board of aldermen—penalty.
2. Board of aldermen authorized to prevent building of wharves, streets, &c. in cove.
3. City not required to repair streets until declared public.

Be it enacted by the General Assembly, as follows:

SECTION 1. If any person shall erect or build, or cause to be erected or built, any wharf or buildings upon any part of the cove or other public waters above Weybosset bridge, in the city of Providence, outside of the present high water mark, or shall place or cause to be placed in said cove or other public waters, any other obstruction of any kind whatsoever, without permission first granted by the board of aldermen of said city, the person or persons so offending shall forfeit and pay a sum of money not less than fifty dollars, nor more than one thousand dollars; which penalty may be sued for and recovered before any court of competent jurisdiction, by indictment, or by an action of debt; one half thereof to and for the use of him who shall inform or sue for the same, and the other half to and for the use of the State; and in addition to said penalty, the said board of aldermen, or the court before whom such indictment shall be preferred, are hereby empowered to cause such obstruction to be removed at the cost of the person or persons who shall have erected or placed the same, or who shall have caused the same to be erected or placed.

SEC. 2. The board of aldermen of said city are hereby authorized and empowered to mark out and direct, or permit to be built or erected, any wharves, streets, causeways or bridges around, across or through said cove or other public waters above Weybosset bridge, that they may think the public good shall require: *provided* that nothing herein contained shall authorize the taking of land above high water mark for such streets, except in manner as is by law provided.

SEC. 3. The city of Providence shall not be required to keep in repair any street directed or permitted by said board of aldermen to be built, until the same shall be received and declared by said board of aldermen to be a public highway to be repaired at the expense of the city.

An Act to authorize the town council of the town of Providence to appoint a harbor master.

(Passed June 25, 1830.)

Town council authorized to appoint harbor master.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that the town council of the town of Providence be and they are hereby authorized and empowered, from time to time hereafter, to appoint a harbor master for the port of Providence; and to pass, ordain and establish such by-laws and ordinances, and establish such fees and compensation, as said town council may deem necessary and expedient for the execution of the duties of said office; provided the same do not render said town liable for any such fees or compensation; and provided further, that the same be not repugnant to the laws of this state, or of the United States.

An Act concerning ferry boats in the harbor of Providence.

(Passed January, 1843.)

Mayor and aldermen to establish ferries—ferriage not to exceed two cents in the day time.

Be it enacted by the General Assembly, as follows:

SECTION 1. The mayor and aldermen of the city of Providence shall have, from and after the passage of this act, full power and authority to establish ferries and to regulate the running of boats for the transportation of passengers for hire, in that part of the harbor of Providence between Weybosset bridge and a line drawn westerly in continuation of the north line of India street; and to affix penalties for the violation of any regulations established by them under the authority hereof, not exceeding five dollars for one offence; which

penalties shall be recovered in the same way as penalties for the violation of ordinances of said city now are: *provided* that said mayor and aldermen shall not fix the rate of ferriage in the day time above two cents for each passenger.

An Act for filling up certain low grounds covered with stagnant water in the compact part of the town of Providence.

(Passed 1822.)

SECTION
1. Town council may cause low grounds covered with water to be filled up.
2. Accounts therefor audited—owners notified.
3. Town treasurer may sue for the expense—proceedings.
4. Council may cause drains to be laid—proceedings.
5. Expense how paid.
6. Lien upon estates.

Whereas it hath been represented unto this assembly, that certain low grounds in the compact part of the town of Providence are covered with stagnant water, to the great prejudice of the inhabitants in the vicinity of such places; for remedy whereof:

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that upon information being given of any such place or places to the town council of the said town, the said town council shall appoint a committee to examine the place or places so complained of, and to make report thereof to them; that if on report of such committee it shall be the opinion of the said town council that such place or places ought, for the security of the inhabitants, to be filled up, they shall, by their sergeant or other proper officer, notify the owner or owners of such lands, or if non-residents, his, or her, or their agent or attorney, that they do fill the same within a time to be limited by said town council; and that upon the refusal and neglect of such owner or owners, his, her or their agent or attorney, to fill up such low grounds with earth, within the time limited as aforesaid, the said town council shall appoint a proper person or persons to fill the same with earth, of such depth as they may think necessary.

SEC. 2. *And be it further enacted*, that the accounts for all such services as aforesaid shall be presented to the town auditors of the said town, and be by them audited, and the sums allowed certified; that the owner or owners of such lot

or lots of land, or his, her or their agent or attorney, shall be notified of the same, in the manner herein before provided; and that upon the refusal or neglect of such owner or owners, his, her or their agent or attorney, to pay the bills so audited, the said town council shall give an order or orders on the town treasurer of the town for the amount of the same, who is hereby authorized to pay the amount of such bills out of the town treasury.

SEC. 3. *And be it further enacted*, that the said town treasurer, upon his acceptance of such order or orders, shall be and hereby is authorized and empowered to sue for and recover the amount of the same with costs, in an action of debt, to be commenced and prosecuted by him, against the owner or owners of such lots or places so filled up; that the writ in such action of debt may and shall be levied upon such lots or places so filled up, and the same shall and may be sold on execution, to satisfy the judgments which may be obtained in such actions of debt according to law; that if, after satisfying such executions, any surplus arising from the sale shall remain, such surplus shall be paid to such owner or owners, his, her or their agent or attorney, by the sheriff; he taking his, her or their receipt for the same; and if such owner or owners' agent or attorney is not to be found within this state, or shall refuse to receive the same, the sheriff shall lodge such surplus in the town treasury of the said town, to be paid to such owner or owners, or to his, her or their agent or attorney, or other proper representatives.

SEC. 4. *And be it further enacted*, that when it shall appear to the satisfaction of the town council of said town, upon the report of a committee to be appointed in the manner provided by the first section of this act, that the health of the town and the accommodation of the inhabitants shall require a drain or drains to be laid or sunk through the lands of individuals, and also through any public street or streets, or public lands in said town, said town council shall and may appoint a commissioner or commissioners to make survey of the route of such drain or drains, and also a plan or draught thereof, with an estimate of the expense of the same, also a list and description of all the real estate or estates which would be benefited thereby, with the names of the owners or occupiers thereof, and an assessment of the expense of the same upon said real estates respectively, according to the benefit respectively by them received therefrom, and on the said town, so far as said town may be benefited in respect to the draining of its streets and other public lands, and the gen-

eral accommodation of the inhabitants; and on the report of such commissioners, the said town council shall give public notice, by advertisement in one or more of the newspapers printed in said town, to all persons interested, to appear before said town council, at a time by them in said advertisement appointed, to make objection, if any they may have, to the said report, estimate and assessment; and the said town council, after hearing such parties as may appear, shall take the said report, estimate and assessment into consideration, and adopt, amend or reject the same; and on the adoption thereof shall appoint a commissioner or commissioners to cause such drain or drains to be laid or sunk accordingly.

SEC. 5. *And be it further enacted*, that the expense of making or sinking such drain or drains, after the same shall be ascertained, and the accounts for the same approved by said town council, shall be paid by the said town, and by the owner or owners, occupier or occupiers of such real estates as shall have been included in the report, estimate and assessment, in the proportion of such expense to the estimate aforesaid; and in case the same shall not be paid within twenty days after the allowance of said accounts by said town council, the amount of the expense not already paid shall be paid out of the town treasury, in the manner provided in the second section of this act; and the town treasurer, upon acceptance of the order or orders of the said town council for such expenses, shall and may sue for and recover the amount of the same, with costs and interest, in an action of debt against the owner or owners, occupier or occupiers, of the estates assessed respectively, in the manner provided in the third section of this act; and may, upon the writ and execution in such action or actions, attach the respective estates so assessed as aforesaid, and sell the same to satisfy the judgment or judgments recovered in such actions, in the manner provided in said third section.

SEC. 6. *And be it further enacted*, that such report and assessment of said commissioner or commissioners, as herein before provided, shall be a lien on said respective real estates, from the time of the acceptance of such report by the town council; and said real estates shall be respectively liable for the amount of the final charges and expenses of such drain or drains, in manner aforesaid.

An Act concerning the erection of buildings in the city of Providence.

(Passed October, 1843.)

SECTION
1. No building more than eighteen feet high to be built within certain limits, unless as is herein described.
2. Same subject continued.
3. Partitions between double houses—additions.
4. No buildings to be removed without permission of city council.
5. Limits within which preceding sections operate.
6. No building more than forty feet high, except of brick or stone, to be built within certain limits.
7. No steam boiler to be erected or operated, excepting under regulations of board of aldermen.
8. Penalties how recovered.
9. Assessments in addition to penalties.
10. Additional penalty for operating steam boiler.
11. Proceedings against corporations exempt from taxation.
12. Penalties—to whose use.
13. Officers whose duty it is to inquire after offences against this act.
14. City council to have power to extend limits.
15. Repeal of former laws.

It is enacted by the General Assembly, as follows:

SECTION 1. After the passing of this act, no building of any kind whatever, which shall be more than eighteen feet high from the ground to the highest point of the roof thereof, measuring on that side of the building next to the highest part of the lot on which it may stand, shall be erected or built within the limits herein after described in the city of Providence, unless such building be constructed of such materials and be situated in such manner as is herein after described, to wit: If such building be more than eighteen feet high, and not more than forty feet high, measuring as aforesaid, to be used for a dwelling-house, and for no other purpose, (unless by permission of the board of aldermen of said city,) the same may be of wood—provided that the floors be laid on mortar; the sills rest upon walls of brick or stone; the roof be covered with slate, tile, metal, or with shingles laid on mortar, and have at least one window or scuttle in the same; the building in no case to cover a greater surface than two thousand square feet. Every such building, when erected within five feet of the boundary line of the owner or owners of the land on which it may be built, (unless said boundary line be on a public highway,) shall have a brick wall at least seven inches thick, or a stone wall at least twelve inches thick, on the side next to said boundary line. Every such building, when erected within ten feet of any other building, the highest point whereof shall be more than eighteen feet from the ground, shall have a wall of the same description, on the side thereof next to such other building, unless said last mentioned building shall have a similar wall on the corresponding side thereof. And between every two ad-

joining buildings of the foregoing description there shall be built an entire partition wall of brick or stone, of the thickness aforesaid, and of such height as that no part of the top of said wall shall be less than two feet above the surface of the roof.

SEC. 2. No building of any kind whatever which shall be more than eighteen feet high from the ground, measuring as aforesaid, (other than such as is herein before described,) shall be erected or built within the limits in this act described and established in said city, unless all the external sides and ends thereof (except so much as may be necessary for doors and windows) be constructed or built of brick or stone—if of brick, not less than seven inches; if of stone, not less than twelve inches in thickness.

SEC. 3. All double houses, and all buildings which are separated from other buildings by a partition within said limits, shall have a partition between them of brick or stone, of the thickness aforesaid. And all additions which shall be made to buildings already erected, and all buildings which shall be erected on old foundations in part or in whole, shall be of brick or stone. *Provided, however*, that no addition or erection of brick or stone superstructure shall be made upon wooden buildings, or upon sides, ends or foundations of wood.

SEC. 4. No wooden buildings shall be removed from without, to any place within said limits, nor from one place to another within said limits, unless by permission of the city council. No wooden building heretofore erected within said limits, and now used for a dwelling-house, shall be hereafter used therein for any other purpose unless by permission of the board of aldermen, and under such restrictions and conditions as they may prescribe.

SEC. 5. The several parts of the city of Providence, comprised and lying within the following limits and bounds, shall be and they are hereby established as containing all the parts of said city in which the foregoing restrictions and prohibitions contained in this act shall operate, and have force and effect, to wit: that part of said city on the west side of the river lying southward and eastward of a line beginning one hundred feet north of Westminster-street, at its junction with High-street, and extending eastward, holding the distance of one hundred feet from Westminster-street to Union-street; then extending northerly through North Union-street to the salt water; and that part lying northerly and easterly of a line beginning one hundred feet south of High-street, at its

junction with Westminster-street, and extending easterly to a point on the north line of Pawtuxet-street, one hundred feet from the south line of High-street; then continuing on the north line of Pawtuxet-street to its junction with Broad-street; then beginning on the east side of Chesnut-street, one hundred feet from its junction with Broad-street; and running eastward, holding the distance of one hundred feet from Broad-street to Richmond-street; then beginning on the east line of Richmond-street, one hundred and fifty feet from Broad-street, and running eastward, holding the distance of one hundred and fifty feet from Broad-street to Dorrance-street; thence extending southerly through Dorrance-street to the river: all that part of the town on the east side of the river lying westward of a line beginning one hundred feet east of Benefit-street, at the junction of said street with Wickenden-street, and extending north, holding the distance of one hundred feet from Benefit-street, to the range of the south line of Star-street.

SEC. 6. No building of any kind whatever, which shall be more than forty feet high, measuring as aforesaid, and which shall not have all its external sides, excepting so much as shall be necessary for doors and windows, constructed of brick or stone—if of brick, not less than seven inches; if of stone, not less than twelve inches in thickness, shall be erected or built within the following districts of said city, viz: that part of the city on the west side of the river lying between the water and a line drawn from the Cove through Sabin-street to Atwell's avenue, through Atwell's avenue to Dean-street, through Dean-street to a point two hundred feet north of the northerly line of High-street; thence westerly, keeping two hundred feet north of said northerly line to Love-lane; thence through Love-lane, across High-street and through Knight-street to Cranston-street; thence through Cranston-street to Pearl-street; through Pearl-street to Pawtuxet-street, through Pawtuxet-street to Stewart-street, through Stewart-street or the continuation thereof to Friendship-street, through Friendship-street to Plane-street, through Plane-street to Point-street, and through Point-street to the river; and that part of the city on the east side of the river lying between the water and a line drawn from the river in the direction of Wickenden-street, to strike the northerly line of said street and by said northerly line to Brook-street; thence through Brook-street to Power-street, through Power-street to the westerly line of Brown-street; thence by said westerly line and the continuation thereof northerly to Angell-

street; thence through Angell to Prospect-street, through Prospect to Meeting-street, through Meeting-street to a point two hundred feet east of the easterly line of Benefit-street; thence northerly keeping two hundred feet east of said easterly line to the range of the southerly line of Star-street; thence to the water by said southerly line and the range thereof.

SEC. 7. No steam boiler shall hereafter be erected and put in operation in said city, unless by permission of the board of aldermen of said city; and no steam boiler already erected, or which shall hereafter be erected, shall be continued in operation in said city, unless under such restrictions, regulations and conditions as said board of aldermen may prescribe.

SEC. 8. Every person who shall erect, construct or add to, or cause to be erected, constructed or added to any building, or who shall put or continue in operation any steam boiler in said city, contrary to the true intent and meaning and against the provisions or any of the provisions of this act, shall forfeit and pay a fine of not less than one hundred dollars, nor more than five hundred dollars, according to the nature and aggravation of the offence; to be recovered by indictment before or information in the supreme court, which it shall be the duty of the attorney general to file, in all cases which may come to his knowledge.

SEC. 9. In addition to the fines above mentioned, there shall be laid and assessed upon every house and other building which shall be erected, constructed or added to, contrary to the provisions or any of the provisions of this act, the sum of fifty dollars annually and every year until brick or stone walls shall be erected as above provided, and until the same shall be effectually secured against fire, according to the provisions of this act; and it shall be the duty of the board of aldermen aforesaid to return to the assessors of said city annually a list of all such houses and other buildings as are erected, constructed, or added to, against the provisions or any of the provisions of this act, together with attested copies of the record of the conviction of the person or persons who erected, constructed, or added to the same, before the supreme court; and thereupon it shall be the duty of the said assessors to assess upon the owner or owners of such building or buildings, for the time being, the said sum of fifty dollars annually, in addition to his, her, or their taxes; which shall be recovered and collected in the same way and manner as other taxes are or may be recovered and collected; and the same rem-

edy is hereby given to the collector or collectors of taxes for the recovery thereof: *provided, nevertheless*, that no such building or buildings, or the owner or owners thereof, shall be subjected to such annual tax, until an attested copy of the record of said conviction shall have been duly recorded in the office of the city clerk of said city, whose duty it shall be to receive and record the same.

SEC. 10. Every person who shall operate any steam boiler, or use or occupy any building of a description set forth in this act, otherwise than in conformity with the same, shall forfeit and pay for each offence a sum not less than fifty dollars, nor more than five hundred dollars, together with all costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of said city, before any court of competent jurisdiction. And any person who shall offend against this act, or any part thereof, by operating any steam boiler, or using or occupying, contrary thereto, any building hereby authorized to be erected, or herein described, and shall persist in such unlawful operation, use or occupation, after he or she shall have been required by the mayor or by the board of aldermen aforesaid, in writing, to discontinue the same, shall, for every thirty days during which he or she shall so persist, be deemed guilty of a new and separate offence, and shall be fined accordingly.

SEC. 11. All corporations, and the property of all corporations which are otherwise exempt from taxation, shall be subject and liable to the provisions of this act, and to the penalties and assessments therein provided in case of violation thereof, and written notice to the treasurer, or other officer usually receiving and paying out funds of such corporation, shall be sufficient fully to bind such corporation and its property.

SEC. 12. All assessments and one half of all fines and penalties which shall be recovered under and by virtue of this act, shall accrue and enure to the use of said city, and be paid to the treasurer thereof; and the other half of said fine and penalties shall be paid into the general treasury.

SEC. 13. It shall be the duty of the mayor and of each and every alderman in said city, and they and each of them are hereby required, to inquire after and give or cause to be given information to the attorney general of all offences which may be committed against the true intent and meaning of this act.

SEC. 14. The city council of said city are hereby authorized and empowered to extend the operation of this act, or of

any of the provisions thereof, from time to time, to such other streets, places and districts within said city, as they shall deem expedient; and said act shall have full force and effect therein.

SEC. 15. All laws relating to the erection of wooden buildings in any part of the town or city of Providence are hereby repealed; but all violations (prior to the passage of this act) of such laws or of any part thereof, and all assessments, fines or penalties incurred before the passage of this act, may be prosecuted for, recovered and collected, as if this act had not been passed.

An Act regulating the piling of lumber and wood, within certain limits in Providence.

(Passed November 2, 1831.)

No lumber, &c., to be piled more than thirteen feet high within certain limits.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that from and after the rising of this general assembly, no person shall pile or cause to be piled, or aid or assist in piling, or within his or her possessions suffer or permit to be or remain piled, any boards, planks, shingles, timber, clapboards or other lumber, or any wood, in any pile or heap to a greater height than thirteen feet, in any place in the town of Providence, within the limits within which the erection of wooden buildings exceeding in height thirteen feet is now prohibited by law. And every person offending against any of the provisions of this act shall be subject to the same fines, forfeiture and penalties, to be recovered in the same manner as provided in and by the fourth section of the act entitled "An Act to prevent erecting wooden buildings in certain parts of the town of Providence."

An Act regulating the storing of lime in the town of Providence.

(Passed 1805.)

SECTION
1. No lime to be stored below low water mark—may be removed.—Penalty for not removing.
SECTION
2. Penalty in case of fire happening.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that it shall not be lawful to

deposit stone-lime on any floor, platform or ground, within any store or other building in the town of Providence, below the highest tide-water mark; and in case any lime shall be deposited contrary to the true intent and meaning hereof, the town council of said town are hereby empowered to order such lime to be forthwith removed, by the owner or occupant of such store, or owner of such lime; and in case the owner or occupant of such store, or owner of such lime, shall refuse or neglect, for the space of twenty-four hours after notice of such order, to remove such lime, he, she or they so offending, shall be liable to pay to and for the use of said town, a fine not exceeding forty dollars; and said town council shall and may cause the same to be forthwith removed, and may cause so much of said lime to be sold at public auction as will be sufficient to defray the expenses of such removal.

SEC. 5. *And be it further enacted*, that in case any damage shall happen by fire, by the storing of lime, contrary to the true intent and meaning of this act, the occupant of the store or building in which such lime shall be stored, shall be liable to and pay a fine not exceeding five hundred dollars, to and for the use of said town.

An Act regulating the storage, safe keeping and transportation of gunpowder in the town of Providence.

(Passed 1821.)

SECTION
1. Not more than five pounds of gunpowder to be kept, except as directed in this act.
2. No person to sell without license—licenses how granted.
3. Penalty for having or transporting, &c., contrary to this act.
4. May be libelled if kept contrary to this act—process—may be forfeited.
5. Penalty for rescuing gunpowder when seized.
6. Firewards to make complaints, &c.
7. Party injured by explosion entitled to damages.
8. Vessels with gunpowder where to anchor.
9. Where gunpowder may be landed.
10. In what manner secured.
11. How to be transported in carts.
12. How to be transported in boats.
13. Applications for license.
14. What quantity may be kept.
15. In what manner it shall be kept.
16. Sign to be kept.
17. Places where gunpowder may be stored how designated.
18. Forfeitures how recovered.
19. Repeal of former act.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that no person, except on military duty in the public service of the United States, or of this state, shall keep, have or possess in any house, warehouse, shop or other building, nor in any street, lane, alley, passage-

way, yard or cellar, nor in any wagon, cart or other carriage, nor on any wharf, nor on board of any ship or other vessel, nor in any place within the town of Providence, gunpowder in any quantity exceeding five pounds, in any way or manner other than by this act may be permitted and allowed; and all gunpowder had, kept or possessed, contrary to the provisions hereof, shall be forfeited, and liable to be seized and proceeded against, in the manner herein after provided.

SEC. 2. *And be it further enacted*, that it shall not be lawful for any person or persons to sell any gunpowder which may at the time be within the town of Providence, in any quantity, by wholesale or retail, without first having obtained from the town council of said town, a license to sell gunpowder; and every such license shall be written or printed, and signed by the president of said council or their clerk, on a paper upon which shall be written or printed a copy of this act; and every such license shall be in force for one year from the date thereof, unless annulled by said council, and no longer; but such license may, prior to the expiration of that time, be renewed, by endorsement thereon, for a further term of one year, and so from year to year: *provided, always*, that the said town council may annul any such license, if in their opinion the person or persons licensed have forfeited the right of using the same by any violation of the law relative thereto; and every person who shall receive a license as aforesaid shall pay therefor the sum of five dollars, and on having the same renewed shall pay therefor the sum of one dollar, which shall be paid to the clerk of said council, for their use, for the purposes of defraying the expenses of carrying this act into execution.

SEC. 3. *And be it further enacted*, that any person or persons who shall keep, have, possess or transport any gunpowder within the town of Providence, contrary to the provisions of this act, or who shall sell any gunpowder therein, without having a license therefor, then in force, shall forfeit and pay a fine of not less than twenty dollars, and not exceeding five hundred dollars, for each and every offence; and if any gunpowder kept contrary to the provisions of this act shall explode in any shop, store, dwelling-house, ware-house or other building, or in any place in said town, the occupant, tenant or owner of which has not a license in force to keep and sell gunpowder therein, or which gunpowder shall have been kept in any manner contrary to the terms and conditions of such license, such occupant, tenant or owner shall

forfeit and pay a fine of not less than twenty dollars, nor more than five hundred dollars.

SEC. 4. *And be it further enacted*, that all gunpowder which shall be kept, had or possessed, within the town of Providence, or brought into it, or transported through the same, contrary to the provisions of this act, may be seized and taken into custody, by any one or more of the firewards of said town; and the same shall, within ten days next after the seizure thereof, be libelled, by filing in the office of the clerk of the court of common pleas, within and for the county of Providence, a libel, stating the time and place and cause of such seizure; a copy of which libel, or the substance thereof, together with a summons or notice, which such clerk is hereby authorized to issue, shall be served on the person or persons from whose custody or possession, or in whose tenement, such gunpowder shall have been seized, if such person or persons be an inhabitant or inhabitants of this state, by delivering a copy thereof to such person or persons, or leaving such copy at his, her or their usual place of abode, twenty days at least before the sitting of the court at which the same is to be heard, that such person or persons may appear and show cause why the gunpowder so seized and taken shall not be adjudged forfeit; and if the gunpowder so seized shall be adjudged forfeit, the person or persons in whose custody or possession the same was seized, or the occupant or tenant of the place wherein the same was seized, shall pay all costs of prosecution, and execution shall be issued therefor, provided it appear that such person or persons had due notice of such prosecution, by service as aforesaid; and in case the person or persons in whose custody or possession, or in whose tenement such gunpowder may be seized, shall be unknown to the fireward or firewards making such seizure, or in case such gunpowder at the time of seizure may not be in the custody or possession of any person, or if it shall appear by the return of the officer, that such person or persons cannot be found, or has no known place of abode in this state, then said court shall and may proceed to adjudication thereon; and such libel or summons, and also such writ of execution for costs, shall and may be served and executed in any county in this state, by any officer competent to execute civil process in like cases.

SEC. 5. *And be it further enacted*, that any person or persons who shall rescue, or attempt to rescue, any gunpowder seized as aforesaid, or shall aid or assist therein, or who shall counsel or advise or procure the same to be done, or

who shall molest, hinder or obstruct any fireward in such seizure, or in carrying gunpowder so seized to a place of safety, shall forfeit and pay a fine for each offence, of not less than twenty dollars, and not exceeding five hundred dollars; and it is hereby made the duty of all magistrates, civil officers, and of all good citizens of said town, in their respective stations, and as far as they may be required, to aid and assist such fireward or firewards in executing the duties hereby required.

SEC. 6. *And be it further enacted*, that the said firewards, or any of them, may enter the store or place of any person or persons licensed to sell gunpowder, to examine and ascertain whether the laws relating thereto are strictly observed; and also whenever there may be an alarm of fire; and in such last case may cause the powder there deposited to be removed to a place of safety, or to be destroyed by wetting or otherwise, as the exigency of the case may require; and it shall be lawful for any one or more of the firewards aforesaid to enter any dwelling-house, store, building or other place in said town to search for gunpowder, which they may have reason to suspect to be concealed or unlawfully kept therein; first having obtained from some justice of the peace of said town a search-warrant therefor; which warrant any one of the justices of said town is hereby respectively authorized to issue, upon the complaint of such fireward or firewards, supported by his or their oath or affirmation.

SEC. 7. *And be it further enacted*, that any person who shall suffer injury by the explosion of any gunpowder had, kept or transported within the town of Providence, contrary to the provisions of this act, may have an action of the case, in any court proper to try the same, against the owner or owners of such gunpowder, or against any other person or persons who may have had the custody or possession of the same, at the time of the explosion thereof, to recover reasonable damages for the injury thus sustained.

SEC. 8. *And be it further enacted*, that no ship or other vessel on board of which gunpowder shall be laden, shall lie at any wharf in the town of Providence, nor at any place north of India Point channel, within said town.

SEC. 9. *And be it further enacted*, that when any gunpowder shall be landed in the town of Providence, from on board any ship, boat or other vessel, the same shall and may be brought to and landed at such place or places as may be designated by the town council of said town; and when any gunpowder shall be intended to be laden on board of any

ship or vessel lying in the harbor of Providence, the same shall and may be brought to and delivered and laden from such place or places as may be designated as aforesaid; and no gunpowder shall be landed at, or shipped from, any other wharf or place in said town, nor detained an unnecessary length of time at said wharf or place.

SEC. 10. *And be it further enacted*, that all gunpowder which shall be transported through said town, to whatever place it may be destined, shall be put into strong leather bags, closely tied, and on which shall be painted in Roman capitals, the word "GUNPOWDER," and shall so remain in said bags whilst it is within the bounds of said town, and shall not be suffered to remain a longer time than is necessary, in the boat or carriage in which it may be transported: *provided however*, that said bags may be taken off whenever said powder shall be deposited in some magazine, as hereinafter designated.

SEC. 11. *And be it further enacted*, that all gunpowder transported through said town, except when carried by hand, shall be conveyed in a cart, wagon or other carriage, closely covered with leather or canvas, marked as aforesaid with the word "Gunpowder," in some conspicuous place thereon; excepting, however, that a quantity of gunpowder, not exceeding in the whole four casks of twenty-five pounds each, may be received and put into any cart or wagon which is to pass through any part of the town, on its way to the country; provided that each cask shall be put into a leather bag, closely tied up and marked as aforesaid, and so remain until without the bounds of said town.

SEC. 12. *And be it further enacted*, that all boats employed in transporting gunpowder shall have the casks of powder covered with canvas, and shall have a red flag displayed in the bow or stern of the boat, so long as any powder remains on board.

SEC. 13. *And be it further enacted*, that all persons who wish to have a license to keep and sell gunpowder within the town, shall make application to the town council in writing, stating their place of business, and whether they wish to sell by wholesale or retail, or both; and to each person or firm who may be approbated, a certificate of license shall be granted, on payment of the fee established by law.

SEC. 14. *And be it further enacted*, that every person or firm who may be licensed to sell gunpowder by retail, shall be allowed to keep in the place or building designated in the license, twenty-five pounds of gunpowder, and no more, at

one time, which shall always be kept in tin or copper canisters, capable of containing no more than twelve and a half pounds each, with a small aperture at the top, and a tin or copper cover thereto.

SEC. 15. *And be it further enacted*, that every person or firm who may be licensed to sell gunpowder by wholesale, shall provide and keep a tin or copper chest, with two handles and a tight cover, furnished with a hinge, and secured with a padlock, all of tin or copper; such chest shall always be kept on the lower floor, on the right side of and close to the principal door or entrance from the street into the building so licensed, except when otherwise designated by the council, and shall always be kept locked, except when powder is put in or taken out; and such person or firm, so licensed, shall be allowed to deposit and keep, in such tin or copper chest, a quantity of gunpowder not exceeding four casks of twenty-five pounds each; the heads of each cask not to be opened, and each cask to be kept in a strong leather bag, closely tied and marked as aforesaid.

SEC. 16. *And be it further enacted*, that every person or firm licensed to keep and sell gunpowder as aforesaid, by wholesale or retail, shall have and keep a sign-board placed over the door or building in which such powder is kept, on which shall be painted in Roman capitals the words "Licensed to sell Gunpowder."

SEC. 17. *And be it further enacted*, that no gunpowder shall be kept, otherwise than as before provided for licensed dealers, at any place within the town of Providence, except in such place or places, and in such buildings, as may be designated by the town council thereof.

SEC. 18. *And be it further enacted*, that all fines, penalties and forfeitures, except otherwise herein prescribed, which may arise and accrue under the provisions of this act, shall and may be prosecuted for and recovered by indictment or action of the case, in any court of competent jurisdiction; one half thereof to and for the use of the poor of said town, to be paid over to the treasurer thereof, and one half to and for the use of any person or persons who may prosecute or sue for the same: and this act shall be deemed and taken to be a public act, and shall and may be proceeded on as such.

SEC. 19. *And be it further enacted*, that the act entitled "An Act relative to the keeping of gunpowder in the town of Providence," be and the same is hereby repealed: *provided, however*, that the same shall continue in force for the purpose of prosecuting all offences which may have been committed prior to the passing hereof.

An Act providing in case of fire breaking out in the town of Providence.

(Passed 1754 to 1822.)

Section	Section
1. Housekeeper to have buckets—penalty.	ers of houses pulled down, how compensated.
2. Town council to cause examination to be made.	4. Firewards—power—disobedience to how punished.
3. Presidents of firewards—power.—Own-	5. Stealing in time of fire.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that every housekeeper in the town of Providence shall provide and keep two good leather buckets, containing at least two gallons each, with the owner's name painted at large thereon, to be kept in some convenient place, to be used in case of fire breaking out in said town, and for no other purpose; under the penalty of forfeiting the sum of five dollars, to be recovered by the town treasurer, to and for the use of said town, before any two or more justices of the peace in said town, whose judgment in the premises shall be final.

SEC. 2. *And be it further enacted*, that the town council of said town shall annually, within one month after the third Tuesday in August, cause an examination to be made by the town sergeant, or one of the constables of said town, of all the housekeepers in said town, and to return to the said council the names of all such housekeepers who are not furnished with buckets as aforesaid, which said council shall, after having duly examined the same, return a list of persons to be prosecuted under this act, to the said town treasurer, who shall cause said delinquents to be prosecuted in manner herein before prescribed; provided that said town council, upon application and due examination, may exempt from the penalty aforesaid any person who, in their opinion, may be unable to furnish themselves with buckets as aforesaid.

SEC. 3. *And be it further enacted*, that from time to time, at the yearly meeting for the election of town officers, the freemen of said town shall annually choose and appoint three or more persons, on whose fidelity, judgment and impartiality they can rely, to be called presidents of firewards; and that they, the said presidents, or any one of them, who shall be present when any fire shall happen to break out in the said town, shall and may, and they are hereby empowered to give directions for the pulling down or blowing up of any such house or houses as shall be by them judged meet and neces-

sary to be pulled down or blown up, for preventing the further spreading of the fire; and if it shall happen that the pulling down or blowing up of any such house or houses, by direction as aforesaid, shall be the occasion of stopping the progress of such fire, or that the fire stop before it comes to the same, that then all and every the owner or owners of such house or houses shall be reasonably paid therefor, by the rest of the inhabitants of said town, whose houses shall not be burnt; and they are hereby authorized and fully empowered to make a tax or taxes for levying and raising such a sum of money as shall be, by the court of general sessions of the peace for the county of Providence, thought sufficient for that end; which court are hereby fully empowered and authorized, on application to them on this behalf made, to determine and make order thereon: *provided, always*, that if the house or houses where the fire shall first begin and break out, shall be judged fit to be pulled down or blown up, to hinder the further spreading of the flames, then the owner or owners of such house or houses shall receive no manner of satisfaction for the same; any thing in this act contained to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, that it shall and may be lawful for the freemen of said town, at their aforesaid annual meeting, to appoint such a number of prudent persons, of known fidelity, in the several parts of the town, as they may think proper, who shall be denominated and called firewards, and have a proper badge assigned to distinguish them in their office, to wit, a speaking trumpet painted red or white; and at the time of breaking forth of fire, and during the continuance thereof, they shall be and are hereby authorized and fully empowered to require and command assistance for suppressing and extinguishing the fire, for removing household stuff and furniture, goods and merchandize, out of any dwelling-houses, store-houses, or other buildings actually on fire or in danger thereof, and to appoint guards for taking care of and securing the same, as also to require and command assistance for the pulling down or blowing up of any house or houses, and performing all and every service and services relative thereto, by the direction of the presidents aforesaid, or any one of them, to prevent and stop the further spreading of the fire, and suppress all tumults and disorders; and the said firewards, from time to time appointed as aforesaid, are required, upon notice of the breaking forth of fire, to take each one his badge, and repair immediately to the place, and vigorously exert their authority for obtaining assist-

ance, and use their utmost endeavors to extinguish or prevent the spreading of the fire, and to preserve and secure the estates of the inhabitants; due obedience is hereby required to be yielded to them and each of them, in the said service, and all disobedience, neglect or refusal in any person or persons shall be informed of, to some of the justices of the peace of the said town, within two days next after; and if any person or persons shall offend, contrary to the true intent and meaning of this act, he or they, upon conviction thereof before any two justices of the peace, shall forfeit and pay as a fine, the sum of four dollars each, to be levied and distributed, at the discretion of the town council of said town of Providence, among such poor persons as shall be most distressed by the fire; and in case any offender shall be unable to pay such fine, he shall suffer ten days' imprisonment.

SEC. 5. *And be it further enacted*, that if any evil-minded person or persons shall take advantage of such calamity, either by robbing, plundering, purloining, embezzling, conveying away, or concealing any goods, wares, merchandize, effects or things whatsoever, belonging to any inhabitant or inhabitants of the said town of Providence, whose house or houses is or are on fire, or endangered thereby so as to put such person or persons upon removing his or their goods or effects, and shall not restore or give notice thereof unto the owner or owners, (if known,) or bring them to such public place or places as shall be assigned by the presidents of the firewards, or any one of them, within the space of two days next after proclamation made for that purpose, the person or persons so offending shall, on conviction thereof, be deemed thieves, and suffer the utmost severity of the law.

An Act concerning firemen in the city of Providence.

(Passed January, 1842.)

Firemen to be appointed by the city council—number—privileges.

Be it enacted by the General Assembly, as follows:

SECTION 1. The city council of the city of Providence are hereby authorized to elect and appoint as many members of the engine companies, hydraulion companies, hose companies, and fire hook and ladder companies, in said city, as they shall deem expedient, not exceeding twelve hundred in

all; and the persons so appointed shall enjoy and possess all the privileges and immunities that the members of such companies now have; and the said city council shall have power to apportion the firemen so appointed among the several fire companies in said city, in such manner as they deem best; any provision in the charters of said companies limiting their number of members to the contrary notwithstanding.

An Act concerning firemen in the village of Olneyville.

(Passed 1834.)

Inhabitants of other towns appointed firemen, to have privileges, &c.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that it shall be lawful for the proper authorities of the city of Providence, to elect as firemen attached to the fire engines located in that part of said city called Olneyville, any inhabitant of the towns of Johnston or North-Providence, residing within a suitable distance of said engine; and that said firemen so elected shall have and enjoy all the privileges and immunities to which the firemen of said city are now or may hereafter be by law entitled; provided that no person shall be appointed an officer of said company who is not a resident in said city of Providence.

An Act empowering fire companies in the town of Providence to inflict penalties.

(Passed November, 1826.)

Fire companies to have power to enact by-laws—what penalties.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that the several fire companies elected by the town of Providence be and they hereby are authorized to enact such by-laws and regulations, (not contrary to the laws of the state or town,) and impose such penalties for the violation of them, as they may deem necessary to insure the effectual performance of the duties of each member of said companies, not exceeding seven dollars in any one year;

and they hereby are authorized to sue for and recover said penalties, before any court of competent jurisdiction.

An Act to regulate the measuring of grain, salt and sea coal.

(Digest of 1844.)

SECTION
1. Certain towns shall elect measurers—other towns may.
2. Measurers to be engaged—may appoint deputies—grain, &c., imported and sold from vessel, to be measured and certified if above certain quantity.
3. Measurers' fees.
4. To measure if sold from store, in case of dispute—fees.
5. Penalty for selling from vessel without being measured—proviso, unless measured by custom-house inspector.
6. Penalty on measurer for refusal or neglect.
7. Grain sold by weight exempted from act.

It is enacted by the General Assembly, as follows:

SECTION 1. The towns of Newport, Bristol, Warren, Warwick, East-Greenwich, North-Kingstown and North-Providence shall, and any other towns may, at any annual meeting for the choice of town officers, elect in each of said towns not exceeding two persons, to be measurers of grain, salt, shorts and sea coal. The city council of the city of Providence, at the time of the election of city officers, shall elect at least two such measurers for said city.

SEC. 2. Such measurers shall be engaged as other town officers are; and they shall measure or cause to be measured in their presence, and shall certify the measure of all corn, rye, oats, barley and other grain, and all shorts, salt and sea coal, imported into such town from without the limits of this state, that shall be sold and delivered from any vessel or water craft in said town, in any quantity exceeding twenty-five bushels at one sale, to one person or company; and the said measurers are hereby authorized and empowered to appoint so many deputy measurers aforesaid, and to employ so many assistants as they may deem expedient.

SEC. 3. Said measurers shall have and receive as compensation, for every bushel of grain, shorts, salt or sea coal aforesaid, by them measured and certified, where the same shall exceed one hundred and fifty bushels, one half of one cent per bushel, and for any quantity less than one hundred and fifty bushels, one cent per bushel; to be paid by the vender upon a tender of the certificate of the measurers; the vender charging one half of the same to the purchaser, unless otherwise by them agreed: *provided, however*, that no measurer shall be entitled to receive more than one half of one

cent per bushel for measuring, when the quantity shall exceed one hundred and fifty bushels, delivered from the same vessel.

SEC. 4. It shall be the duty of the said measurers or deputies to measure and certify as aforesaid, in all cases of sale and delivery of said articles in the towns where they are appointed, in quantity aforesaid, from any store or other places of selling in said towns, whenever a dispute shall arise between the seller and purchaser, if called on for that purpose by either party; for which duty they shall receive the same compensation, and payable in like manner as herein before provided.

SEC. 5. Every person who shall sell and deliver from any vessel or water craft in said towns, any such grain, shorts, salt or sea coal, in a quantity exceeding twenty-five bushels, at one sale and delivery, without having the same duly measured and certified as aforesaid by one of the said measurers, or shall refuse to permit a measurer or deputy to measure such articles when sold from any water craft, shall forfeit and pay the sum of fifty dollars for every such offence: to be recovered in an action of debt before any court of competent jurisdiction; one half thereof to and for the use of the person who shall sue for the same, and the other half to the use of the town where the offence shall be committed: *provided, however*, that nothing in this act shall be construed to apply to or affect the sale, delivery or measuring of any of said articles, in the sale whereof it shall have been contracted by the seller and purchaser, that the same shall be sold and delivered at custom-house measure; the same being measured under the inspection of a custom-house inspector.

SEC. 6. If any measurer or any deputy measurer shall, after being duly requested to perform any of the duties prescribed by this act, and after tender of his fees therefor, refuse or neglect so to do, he shall forfeit and pay the sum of ten dollars for every such offence; to be recovered in an action of debt before any justice of the peace within the town where the offence shall be committed; one half thereof to the person who shall prosecute and sue therefor, and the other half to the use of said town where such neglect occurred.

SEC. 7. All grain sold, where the contract is that it shall be delivered by weight, shall be exempted from the above law.

An Act to regulate the survey and admeasurement of lumber brought by water or imported into this state.

(Digest of 1844.)

SECTION
1. Surveyor general for the city of Providence to be appointed annually—duty of—may appoint deputies—duties of.
2. Rules of inspection and admeasurement.
3. Surveyor general to appoint one deputy to survey ornamental woods—rules for the inspection of such woods.
4. Surveyor general to appoint one deputy to measure ship timber.
5. Fees for inspection how paid and divided.
6. Penalty for buying or selling lumber not inspected. Lumber purchased to be used by the purchaser, or to be exported from the state, not required to be inspected.
7. Penalty for defacing surveyor's marks.
8. Penalty for fraudulently surveying, and for neglect of duty.
9. Person dissatisfied with survey of deputy inspector, may have a re-survey by inspector general.
10. Surveyor general to make report to city council annually, which shall be published by the council.
11. Town councils of other towns annually to appoint surveyors and measurers of lumber—duties of.
12. Each surveyor to preserve a record of all his surveys.
13. Lumber made in this state, not required to be measured.
14. All former laws repealed.

It is enacted by the General Assembly, as follows:

SECTION 1. There shall be a surveyor general of lumber for the city of Providence, who shall be well skilled in the surveying and admeasurement of lumber, to be appointed in the month of February annually, by the city council of said city, who shall hold the office for one year, and until a successor be chosen, unless sooner removed: before he shall enter upon the duties of his office he shall give bond with two sureties to the city treasurer in the sum of two thousand dollars for the faithful discharge of his duties; and he shall be sworn or affirmed faithfully to perform the same; and such surveyor general, when so qualified, shall have power to appoint such number of deputy surveyors as he may judge sufficient, not less than six, for whose official conduct he shall be answerable, the said appointments subject to the approval of the city council; and shall take bonds from said deputies for the faithful discharge of their duties in the sum of five hundred dollars each, with two sureties; and they shall be sworn or affirmed faithfully to perform the same; and shall be removable for neglect of duty by the surveyor general.

SEC. 2. In the survey and admeasurement of lumber brought by water, or imported, discharged or delivered in said city, whether on the land or in a boat or vessel, the following rules and regulations are hereby established: in the survey of all kinds of pine boards, planks and joists, they shall be divided into three sorts, namely: the first sort shall be denominated "clear," and shall include boards not less than one

inch thick, free from rot, knots and shakes, and square edged; provided that such boards as may be clear and equal in quality to clear, but may be deficient in thickness as aforesaid, shall be received as clear by making such allowance for the deficiency in thickness as may be required to make them equal to one inch thick. The second sort shall be denominated "merchantable," and shall include boards not less than seven-eighths of an inch thick, nearly free from rot and nearly square edged, and suitable for covering buildings. The third sort shall be denominated "refuse," and shall include all boards, plank and joists not included in the other two denominations, with due allowance for rots. And plank and joists shall be surveyed as to quality and numbers the same as boards, and their contents measured and marked, what they may contain, board measure. All boards less than three-fourths of an inch thick shall be surveyed and measured in the same manner, as to quality, quantity and numbers, as though they were of the thickness of one inch.

In the survey of spruce, hemlock and juniper boards, plank, and sawed and hewed timber, there shall be two sorts; the first sort shall be denominated "merchantable," and shall include all boards, plank, joist and timber that are sound and square edged and well sawed; the second sort shall be denominated "refuse," and shall include all other descriptions, with due allowance for rot.

In the survey of ash, maple, and other hard wood boards, plank, joists and timber, there shall be two sorts; the first sort shall be denominated "merchantable," and shall include all boards, plank, joist and timber that are sound and free from bad knots, and free from shakes and rots; the second sort shall be denominated "refuse," and shall include all other descriptions, with due allowance for rots.

In the survey of all boards, plank, joists and timber, the contents of the same in board measure shall be truly marked thereon in plain and durable numbers, and all other marks, if not correct, shall be erased; and in marking the contents of any lumber, the board measure marks commonly used in marking boards shall be used, and no other; and the merchantable lumber shall be marked thus , and the refuse lumber shall be marked , and shall be plainly and durably marked on each and every piece; deduction shall be made for splits not exceeding in any case one half the extent of the split. All boards, plank, joist and timber shall be received and sold according to the contents thereof, as fixed and marked under the aforesaid regulations; but all surveys shall be made under

the inspection of the surveyor general or by his deputies, by his directions; and application shall be made by all persons requiring surveys to the surveyor general, who shall direct his deputies to perform their respective duties in rotation.

SEC. 3. It shall be the duty of the surveyor general, agreeably to the first section of this act, to appoint one or more deputy surveyors, whose duty shall be to survey mahogany, cedar and cherry-tree boards, plank, joist and timber, and other ornamental wood and lumber. In the survey of mahogany and cedar timber, the following rules and regulations are hereby established: in the survey and admeasurement of mahogany and cedar timber, there shall be allowed, if the same is sound and free from wane, two inches on one side of the square, and one inch on the other side, and two inches in length; and when the timber is wider on the one side than on the other, the two inches shall be taken from the narrow side; if waney, two inches on each side of the square; and for rots, shakes, &c., there shall be allowance made as the surveyor may deem expedient, not exceeding one half. All timber that is worm-eaten, much rotten, badly shaked, or very waney, shall be denominated "refuse," due allowance being made for rot. In the survey and admeasurement of mahogany, cedar and cherry-tree boards, planks and joist, and other ornamental wood and lumber, such as are sound and free from bad knots and shakes shall be denominated "merchantable;" all others shall be denominated "refuse," and due allowance made for rots and shakes.

SEC. 4. It shall be the duty of the surveyor general, agreeably to the first section of this act, to appoint one or more deputy surveyors, whose duty shall be to survey oak and other hard wood used in ship building, whether brought by land or water.

SEC. 5. Fees for surveying and marking according to the foregoing provisions of this act, and to be paid by the purchaser, shall be as follows, viz: for pine, spruce, hemlock and juniper boards, plank, joist and sawed timber, twenty-five cents per thousand feet, board measure. For mahogany, cedar, cherry-tree timber, boards, plank and joist, fifty cents per thousand feet, board measure. For oak and other hard wood for ship building, twenty-five cents per ton. For ash, maple, birch, and other hard wood, forty cents per thousand feet, board measure; of which fees, three cents on every thousand feet of pine, spruce, hemlock and juniper boards, plank, joist, and sawed timber, four cents on every ton of oak and other ship timber, six cents on every thousand feet, board measure, of

mahogany, cedar and other ornamental lumber, shall be paid over to the surveyor general for his use.

SEC. 6. It shall not be lawful for any person within the city of Providence to sell, purchase or take the delivery, whether purchased without the state or within it, or for their own personal use or otherwise, any boards, plank, joist or timber brought into said city, unless the same shall be surveyed, marked and numbered, conformably to the provisions of this act; except such as are bona fide intended to be exported beyond sea, and shipped for the purpose of such exportation within one year after the same shall have been sold and delivered to the person first purchasing or receiving the same in said city; and any person or persons importing or purchasing lumber for their own private use and benefit, to be used in building on their own or leased land, upon giving a certificate to that effect to the surveyor general, shall not be subject to have the same surveyed and measured according to this act; but should they dispose of it in any other manner than is provided in this section, they shall be liable to the same penalties as though said certificate had not been given; and all persons purchasing lumber without the state for the purpose of transhipping through this state to the state of Massachusetts or Connecticut, shall not be liable to have the same surveyed and measured, unless said lumber shall be disposed of within this state; and in that case shall be liable to all the provisions and penalties of this act; and any person or persons who shall sell, purchase, deliver or take the delivery of any boards, plank, joist and timber, not surveyed, marked or numbered, as herein is provided, subject only to the foregoing exceptions, shall forfeit and pay for all boards, plank, joist and timber so sold, purchased or delivered, one dollar per thousand feet, board measure, and the same for any less amount; to be sued for and recovered in any court of competent jurisdiction, by the surveyor general, whose duty it shall be to prosecute for all violations of this act that shall come to his knowledge; one half thereof to his use, and the other half to the use of the state.

SEC. 7. If any person or persons shall be guilty of crossing, altering, or wilfully defacing any of the marks affixed to any lumber by any deputy surveyor, he or they shall forfeit and pay a sum not less than five dollars, nor more than twenty dollars; to be prosecuted by the surveyor general, and the forfeiture to be sued for, recovered and applied, as is provided in the sixth section.

SEC. 8. If any person appointed to office under this act,

or his deputies, shall be guilty of or connive at any fraud or deception in surveying, marking or numbering the contents of any boards, plank, joist or timber, he shall forfeit and pay for every such offence a sum not less than ten dollars, nor more than twenty dollars; and if the surveyor general or his deputies, on due notice and request, shall unreasonably neglect or refuse to perform the duties enjoined by this act, he or they shall forfeit and pay for every offence, such a sum, not less than ten dollars, nor more than twenty dollars; one half of the aforesaid forfeiture to be recovered by him or them who shall sue for the same, to his or their use, and the other half to the use of the state, before any court of competent jurisdiction.

SEC. 9. If any person shall be dissatisfied with the survey and admeasurement of any lumber purchased or sold by him, by any deputy or deputies appointed by the surveyor general, he may require the surveyor general, with one or more deputies, at the option of the surveyor general, to reinspect the same; and should they find an error in the survey, over and above the amount of five dollars, the deputy who surveyed the lumber shall receive no compensation for his services; and shall be liable to the penalties provided in the eighth section of this act; and the surveyor general and his deputy or deputies shall receive for their compensation twenty-five cents per thousand feet; and if the surveyor general on the reinspection shall find the lumber correctly surveyed and measured in the first instance, he shall receive for his compensation and that of his deputy or deputies, twelve cents per thousand feet; the first mentioned compensation in this section, to be paid by the purchaser, and last mentioned by the complainant; the expense of overhauling lumber for the purpose of reinspection, under the provisions of this section, shall be paid by the complainant; and in all instances the compensation for the surveyor general and his deputy or deputies shall be equally divided between them.

SEC. 10. It shall be the duty of the surveyor general to make return to the city council of the city of Providence, on the first Monday in February annually, of all lumber surveyed by himself or his deputies; specifying the various kinds and qualities, and by whom surveyed, and the amount of all fees received by him and his deputies pursuant to this act. And it shall be the duty of the said city council to cause said returns to be published in one of the newspapers published in said city.

SEC. 11. The town councils of all other towns where

boards, plank, timber, joist and scantling are imported for sale, shall annually, on or before the first day of March in each year, appoint one or more persons, surveyors and measurers of boards, plank, timber, joist and scantling, who shall hold their offices for one year unless sooner removed by the town council; who for neglect of duty shall make such removal, and fill the vacancy caused thereby: and every surveyor and measurer so appointed, previous to entering upon the duties of his office, shall be duly sworn or affirmed to the faithful discharge of the same, and shall give bond with two sureties to the treasurer of the town in which he is appointed, in the sum of five hundred dollars, for the faithful performance of said duties, and shall be subject to all the duties, provisions and penalties contained in the foregoing sections.

SEC. 12. Each surveyor and measurer shall keep a true and faithful record of all surveys of lumber made by him, together with all figures made by him in taking an account of the same, and said record shall be open to the inspection of all persons.

SEC. 13. This act shall not be construed as requiring the survey or admeasurement of any lumber made in any town in this state.

SEC. 14. All laws heretofore passed for the survey and admeasurement of lumber are hereby repealed.

An Act in amendment of "An Act to regulate the survey and admeasurement of lumber brought by water or imported into this state."

(Passed January, 1845.)

SECTION
1. Soft pine lumber how measured.
SECTION
2. Part of former act repealed.

It is enacted by the General Assembly, as follows:

SECTION 1. In the survey of soft pine boards, planks and joists, they shall be divided into five sorts, namely:

The first sort shall be denominated No. One, and marked thus, I; and shall include boards not less than one inch thick, free from rot, knots and shakes, and square edged: *provided*, that such boards as may be clear, and equal in quality to clear, but may be deficient in thickness as aforesaid, shall be received as No. One, by making such allowance for the deficiency in thickness as may be required to make them equal to one inch thick.

The second sort shall be denominated No. Two, and marked thus, II.; and shall include boards not less than seven-eighths of an inch thick, nearly free from rot, and nearly square edged, and nearly clear from knots.

The third sort shall be denominated No. Three, and marked thus, III.; and shall include boards with sound fast knots, nearly square edged, and suitable for barn and box boards, and covering buildings.

The fourth sort shall be denominated No. Four, and marked thus, Λ; shall include boards worm eaten, some tender with rot, shaked and considerable waney.

The fifth sort shall be marked thus, X; and shall consist of the very waney, sappy and rotten.

Plank and joists shall be surveyed as to quality and numbers, the same as boards, and their contents measured and marked what they may contain board measure.

SEC. 2. So much of the act passed at the January session, 1844, to which this is in amendment, as is inconsistent with this act is hereby repealed.

An Act authorizing the city of Providence to elect an inspector of beef and pork, for said city.

(Passed June, 1833.)

City council may elect inspector—powers—bond, &c.

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, that it shall and may be lawful for the city council of the city of Providence, at the annual election of officers for said city, hereafter, to appoint one city inspector of beef and pork within said city; which said inspector shall have all the rights, powers, fees and privileges, and be subject to all the duties, penalties and forfeitures, which by law appertain or are incident to the office of inspector general of beef and pork for this state. And the said inspector shall, before he enters upon the duties of his office, be sworn faithfully to perform the duties of the same; and shall give bond in manner and form as is by law required of the said inspector general. And further, it shall and may be lawful for said city council, as soon as may be after the passage of this act, to appoint one city inspector, in manner

and form aforesaid, to serve in said office, being first duly qualified as before mentioned, until the next annual election of city officers.

An Act respecting slaughter houses in the town of Providence.

(Passed June, 1827.)

Slaughter houses not to be erected or continued, without consent of town council.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that from and after the first day of September next, no slaughter house shall be erected or continued, nor the business of slaughtering cattle be carried on in the town of Providence, except in such place or places as the town council of said town shall designate; and any person who shall erect or continue any slaughter house, or be concerned in slaughtering cattle or other animals for market, contrary to this act, shall forfeit and pay the sum of one hundred dollars, and costs of prosecution, for every house so erected, and for every day's continuance in violation of this act; to be recovered by indictment or action of debt, before any court of competent jurisdiction, by the town treasurer of said town, for the use of said town.

An Act concerning dogs.

(Digest of 1844.)

SECTION
1. Town councils authorized to make laws concerning dogs.
2. Town councils authorized to impose a tax on the owners of dogs.
SECTION
3. Owners of dogs to be liable for damages done by them to sheep or cattle. On second judgment, dog to be killed.

It is enacted by the General Assembly, as follows:

SECTION 1. The city council of the city of Providence, and the town councils of the several towns, are severally empowered to make such laws concerning dogs in their respective towns as they shall deem expedient; to be enforced by the destruction of the animal, or by pecuniary penalties not exceeding five dollars, to be recovered by action of debt, to

such use as said city council or town council in their respective towns may prescribe.

SEC. 2. The town councils of the several towns are authorized to impose such yearly tax upon every person in their respective towns who shall own or keep any dog, for every dog owned or kept, as they shall judge proper; and also to make such laws to prevent damage being done to flocks of sheep and cattle as they may deem necessary.

SEC. 3. When any person shall have any sheep or cattle worried, torn or killed by any dog, he shall recover his damages against the owner of such dog, in an action on the case, with costs of suit; and if afterwards any damage be done by such dog to any sheep or cattle, the owner of such dog shall pay to the party aggrieved double the damages; to be recovered in like manner as aforesaid, with costs; and an order shall be made by the court before whom such second recovery shall be had, for killing such dog, and the same shall be done accordingly by the officer who shall be charged therewith.

An Act authorizing the city of Providence to restrain certain animals from going at large.

(Passed January, 1845.)

SECTION
1. Power to prohibit certain animals from going at large.
SECTION
2. Power to declare swine found at large to be forfeited.

It is enacted by the General Assembly, as follows:

SECTION 1. From and after the passing of this act, the city of Providence shall have full power to enact ordinances and regulations prohibiting horses, cattle, sheep, hogs, goats and geese from going at large within the limits of said city; and to inflict such penalties and fines for the breach of such ordinances and regulations as they are authorized to inflict by the provisions of an act entitled "An Act to incorporate the city of Providence."

SEC. 2. The said city of Providence shall also have authority to declare all swine found running at large within the limits of said city to be forfeited to and for the use of the poor of said city, or of such persons as may be authorized to seize the same.

An Act in amendment of an act entitled "An Act to prevent the spreading of contagious or infectious sickness in this state."

(Passed January, 1845.)

Record of persons vaccinated need not be kept under certain circumstances.

It is enacted by the General Assembly, as follows:

SECTION 1. The records required by the twenty-third and twenty-fourth sections of the act to which this is in amendment need not be kept in the city of Providence, so long as provision is annually made by said city for the gratuitous vaccination of the inhabitants thereof.

An Act in relation to the discharge of fire-arms, and the firing and selling of fire-works.

(Digest of 1844.)

SECTION
1. Forfeiture for firing guns loaded with ball or shot across road, street, &c.
2. Forfeiture for making bonfire in public street, &c.
3. Forfeiture for firing musket, &c., in Providence—in certain other towns and places.
4. Forfeiture for selling fire-works without license—or using the same.
5. Forfeiture for firing gun, &c., between sun-set and sun-rise.
6. Forfeitures, how recovered and appropriated.

It is enacted by the General Assembly, as follows:

SECTION 1. If any person shall fire any rifle, gun, musket, blunderbuss or pistol, loaded with a bullet or shot, in or across any road, street, square or lane, he shall forfeit and pay not less than three dollars nor more than ten dollars.

SEC. 2. If any person shall make a bonfire in any public street, road, square or lane, without special permission from the town council of the town in which the same shall be made, he shall forfeit a sum not exceeding ten dollars.

SEC. 3. If any person shall fire any musket, rifle, fowling-piece, blunderbuss or other small arms, not being at the time under military duty, within the following limits, viz: the whole city of Providence excepting the public waters and the public rivers therein; also, such parts of the towns of Cranston and Johnston as are contained within the following limits, to wit: beginning on the Pawtuxet road, at the Providence line; thence running southerly on said Pawtuxet road until it comes to the cross road leading to Cranston road; thence

northerly and westerly with said cross road and Cranston road until it comes to the road which leads over Rocky-hill to Johnston meeting-house; thence northerly with said last mentioned road until it meets the Johnston road near Johnston meeting-house; thence easterly with said Johnston road until it comes to the line of Providence, to the place of beginning; also within one mile upon land from the state-house in the town of Bristol; and the whole town of North-Providence; except upon land owned or occupied by him, or except on other days than the first day of the week, by permission of the owner or occupant of the land on and into which he may shoot, he shall forfeit and pay the sum of five dollars for the first offcnce, and ten dollars for every subsequent offence.

SEC. 4. If any person shall sell, offer for sale, enkindle or use, or suffer to be sold, offered for sale, enkindled or used, by his wife, children or servants or other persons whomsoever, any rocket, cracker, squib or other fire-works of a combustible nature ordinarily used for exhibition or amusement, unless he shall previously obtain special license from the town council of the town, and for the purpose of exhibition on a suitable occasion, he shall forfeit and pay the sum of ten dollars for each offence.

SEC. 5. If any person shall fire any gun, rifle, musket or blunderbuss in any road, street, lane or tavern, or other public house, after sun-setting and before sun-rising, he shall forfeit the sum of five dollars for the first offence, and seven dollars for every subsequent offence.

SEC. 6. All forfeitures accruing under this act shall be recovered by action of debt before any justice of the peace in the town where they shall be incurred: one half thereof to and for the use of the state, and the other half to and for the use of the person who shall sue for the same. But no such action shall be sustained unless commenced within thirty days from the time the same shall accrue.

An Act in addition to an act entitled "An Act relative to the harbor and public waters of the town of Providence."

(Passed June, 1845.)

SECTION
1. The city council may authorise railroad depot upon public waters.
SECTION
2. Private property protected.

It is enacted by the General Assembly, as follows:

SECTION 1. The city council of the city of Providence

are hereby authorized to grant, upon such terms and conditions as they may deem for the public good, to any rail-road company whose rail-road terminates in said city, the right and privilege of establishing a depot upon any part of the land covered by the public waters in said city above Weybosset bridge, and of constructing such wharves, causeways, embankments and bridges as may be necessary and proper to contain the buildings and accommodations required for such depot; provided that the plans of all wharves, causeways, embankments, bridges and buildings, proposed to be constructed for any such depot, shall be specially approved by the city council of said city, before the same shall be constructed.

SEC. 2. Nothing in this act shall be construed to surrender or impair any rights which belong to the state in that part of said land covered by the public waters, which said city does not appropriate to the use of such rail-road company, nor to authorize the taking of private property for the use of any rail-road company, excepting as is by law provided.

ORDINANCES

OF THE

CITY OF PROVIDENCE.

An Ordinance prescribing the time when certain ordinances shall take effect, and the manner of publishing the same.

SECTION
1. Ordinances named—when to go into operation.
2. Repeal of former ordinances.
3 & 4. Ordinances how to be published.

Whereas the committee appointed to revise the ordinances of the city have reported certain bills, of which those herein after mentioned by their titles have been carefully examined and considered by this city council; therefore,

It is ordained by the city council of the city of Providence, as follows:

SECTION 1. The several ordinances, the titles of which are hereinafter mentioned, are hereby declared to be the ordinances of this city, and all such parts of them as are amendments or alterations of any previous ordinance shall go into operation and effect from and after the thirty-first day of May next, viz:

An Ordinance designating the officers to be appointed annually by the city council, in addition to those specially designated and required to be appointed by the city charter.

An Ordinance appointing the times and place for holding the municipal court.

An Ordinance prescribing the manner of notifying ward meetings for the purpose of elections.

An Ordinance fixing the compensation of wardens and ward clerks.

An Ordinance prescribing the duties of the city marshal.

An Ordinance prescribing the duties of the city clerk and city sergeant, in certain cases.

An Ordinance prescribing the duties of the overseer of the public bridges.

An Ordinance designating the duties of the city audit.

An Ordinance providing for the establishment of a public watch.

An Ordinance for the prevention of fires.

An Ordinance appointing town meetings in relation to the Dexter donation.

An Ordinance in relation to the streets and highways.

An Ordinance for the preservation of sidewalks.

An Ordinance describing and establishing the city market place.

An Ordinance for the regulation of the city markets and market place.

An Ordinance in relation to the city pumps and wells.

An Ordinance in relation to the north burial ground.

An Ordinance respecting quarantine.

An Ordinance to prohibit the depositing animal or vegetable substances in certain waters of the city.

An Ordinance relative to the removal of the contents of privy vaults.

An Ordinance to prohibit revelling and other disturbances in the public streets.

An Ordinance to prevent the firing of guns and pistols in the streets and other public places.

An Ordinance to prevent the ringing of bells between sunset and one hour after sun-rise.

An Ordinance in relation to dogs.

An Ordinance establishing the city seal, and seals for the board of aldermen and for the municipal court.

An Ordinance in relation to nuisances.

An Ordinance to prohibit bathing in certain places.

An Ordinance to prevent injury to lamp posts, fences and buildings.

An Ordinance in relation to weights, measures, scales and balances.

An Ordinance in relation to the burial of the dead bodies of animals.

An Ordinance in relation to engine houses and fire apparatus.

An Ordinance in relation to the bonds of collector of taxes.

An Ordinance in relation to wood and coal carts.

An Ordinance in relation to the city debt.

An Ordinance establishing street commissioners, prescribing the duties thereof, and for other purposes.

An Ordinance in relation to public schools.

An Ordinance in relation to the interment of the dead.

An Ordinance to prohibit the opening of places of trade and entertainment on Sundays or late at night.

An Ordinance in relation to the hay market.

An Ordinance in relation to cross-walks.

An Ordinance to prevent the going at large of certain animals.

An Ordinance directing the mode of publishing the ordinances of the city of Providence.

SEC. 2. All ordinances heretofore passed by the town or town council of the town of Providence, or by the city council of the city of Providence, which are repugnant to the provisions of the above named ordinances, shall be and they are hereby declared to be repealed, from and after the thirty-first day of May next: *provided, however*, that nothing in this ordinance, or in any of the above named ordinances, shall defeat, discharge, or in any way affect any right, title, interest, duty, obligation, penalty, forfeiture, claim or demand, which shall have vested, enured, accrued or become forfeited by virtue of the ordinances now in force, or which shall be in force until and including the said thirty-first day of May next; nor shall any thing in this ordinance, or in any of the ordinances herein before named, be construed to bar, discharge or abate any civil or criminal process whatsoever now pending, or which shall be hereafter commenced or pending, nor to mitigate, remit or discharge any criminal offence, or the punishment thereof, that shall have been committed before or on said last mentioned day.

SEC. 3. The committee before named are instructed to cause this ordinance, and the ordinances whose titles are recited in the first section thereof, together with such laws of this state as are specially applicable to this city, to be published in a suitable book, five hundred copies of which shall be purchased for the use of the city; and each member of the city council and his successor, and also such officers of the city, and their successors, as the board of aldermen shall deem expedient, shall receive a copy thereof; and the remaining copies shall be kept by the city clerk, to be distribu-

ted from time to time as the mayor, board of aldermen or common council may direct.

SEC. 4. This ordinance, and the ordinances whose titles are recited in the first section hereof, shall be published once in the Providence Daily Journal.

An Ordinance designating the officers to be appointed annually by the city council, in addition to those specially designated and required to be appointed by the city charter.

SECTION
1. Officers whose appointment is required by state laws.
SECTION
2. Officers whose appointment is in conformity to city ordinance or regulations.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that, pursuant to the laws of the state, the following officers shall be annually appointed by the city council, in addition to those specially designated and required by the city charter, to wit: a city sergeant; city treasurer; city sealer of weights and measures; one or more auctioneers; such number of assessors of rates and taxes as may be deemed necessary, provided the number be not less than three, nor more than seven; one or more collector or collectors of taxes; one or more packer or packers of fish; a pound keeper; a sealer of leather; so many constables, overseers of the poor, surveyors of highways, viewers of fences, and guagers of casks, as the said city shall have occasion for; also, three or more presidents of firewards; such number of firewards as may from time to time be thought proper; one or more person or persons to superintend the building of chimneys and placing of stoves and stove-pipes; a school committee, to consist of not less than five nor more than thirty persons, resident inhabitants of the city; a measurer or measurers of grain, salt and sea coal, and a surveyor general of lumber; which last named officer shall be appointed in the month of February.

SEC. 2. That the following officers, in addition to those required, as designated in the preceding section, be appointed by the city council annually, until otherwise ordained, to wit: city auditors; surveyors and corders of wood; surveyors of hoops, staves and heading; clerk of the market; overseers of the hospital; field drivers; members of the engine companies; of the fire-hook and ladder companies; of the hydraulion companies; of the forcing stationary engine com-

panies; also, one or more city criers; inspectors of pot and pearl ashes; inspectors and measurers of carpenters', masons', and painters' work; surveyors and measurers of stone; overseer of public bridges; overseer of the north burial ground; overseers of the city pumps; inspectors of liquor to ascertain proof; overseer of the town house; measurer or measurers of bran; a committee on nuisances, to consist of not less than three, nor more than twelve; a city marshal, and three street commissioners.

An Ordinance establishing the city seal, and the seals for the board of aldermen and for the municipal court.

SECTION
1. Device of city seal.
2. Device of seal of board of aldermen.
SECTION
3. Device of seal of municipal court.
4. Keepers of seals.

SECTION 1. *Be it ordained by the city council of the city of Providence,* that the following be the device of the seal of said city, to wit: around the margin of the same, a raised circle, containing the words "Seal of the City of Providence;" within which, a narrower circle, containing in the upper half thereof the words "Founded, 1636," and in the lower half thereof, the words "City incorporated, 1832;" within which circle, a device referring to the landing of the first settlers in Providence—representing a point of land on the bank of a river, covered with forest trees, beneath which a group of savages are awaiting the approach of a canoe containing Roger Williams and his companions; above which device, and immediately within the inner circle aforesaid, the words "What-cheer?"

SEC. 2. *And be it further ordained,* that the following be the device of the seal of the board of aldermen of said city, to wit: around the margin of the same, a raised circle, containing the words "Board of Aldermen, Providence;" within which circle, a shield, bearing the representations of a bee, a goose and a lamb; as emblematical of industry, watchfulness and peace.

SEC. 3. *And be it further ordained,* that the following be the device of the seal of the municipal court of said city, to wit: around the margin of the same, a raised circle, containing the words "Municipal court of the city of Providence;" within which circle, an open record-book, on which is laid a pair of scales.

SEC. 4. *And be it further ordained*, that the city clerk be *ex officio* keeper of the city seal, and of the seal of the board of aldermen; and that the clerk of the municipal court be *ex officio* keeper of the seal of said court.

An Ordinance appointing the times and place for holding the municipal court.

SECTION
1. Terms of municipal court.
2. When to transact probate business.
SECTION
3. Places for holding court.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that there shall be four terms of the municipal court of said city, in each and every year, for the purpose of transacting any business within the jurisdiction of said court, except probate business, to be holden at the times following, to wit: on the second Wednesday in August, November, February and May.

SEC. 2. That for the purpose of transacting probate business only, the judge of said court shall hold said court on Tuesday of each and every week.

SEC. 3. That the municipal court shall be holden in the room now occupied by said court, or in the common council room.

An Ordinance appointing town meetings in relation to the Dexter donation.

SECTION
1. Town meeting—when and where holden.
SECTION
2. How notified.
3. Bells to be rung.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that a town meeting of the freemen of the city of Providence shall be annually holden in the town house, so called, on the last Saturday in June, at three o'clock P. M., for the purpose of transacting business in relation to the property and estate devised to the town of Providence by the last will and testament of Ebenezer Knight Dexter, denominated the Dexter donation and the asylum, and other town or city property connected therewith.

SEC. 2. That every such annual meeting shall be notified and warned by notice thereof under the hand of the city

clerk; which notice shall be published for and during one week next before said meeting, in two of the newspapers of said city.

SEC. 3. That on the day of every such annual meeting, the city marshal shall cause three of the bells in the city to be rung, for the space of fifteen minutes next before the hour of said meeting.

An Ordinance prescribing the manner of notifying ward meetings for the purpose of elections.

SECTION
1. Meeting—how notified.
SECTION
2. Bells to be rung.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that all ward meetings to be holden in the respective wards of said city, for the purpose of elections, shall be notified and warned by notice thereof under the hand of the city clerk; which notice shall be published, for and during one week next before each day of election, in two of the newspapers of said city.

SEC. 2. That on the day of every such election, the city marshal shall cause three of the bells in said city to be rung, for the space of fifteen minutes next before the hour of said ward meetings.

An Ordinance fixing the compensation of wardens and ward clerks.

Compensation of wardens and clerks.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that the warden and clerk of each ward in said city shall be entitled to two dollars each for each ward meeting they shall attend; and the city treasurer shall pay the same upon the certificate of the warden that such service was rendered.

An Ordinance directing the mode of publishing the ordinances of the city of Providence.

SECTION
1. Ordinances to be published in newspaper.
SECTION
2. City clerk once in two years to publish for distribution.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. All ordinances hereafter enacted by the city council shall be by the city clerk published in some newspaper printed in this city, twice a week for three weeks successively, and such publication shall commence within ten days after the passage of the ordinance.

SEC. 2. The city clerk shall once in two years cause the ordinances enacted for the preceding two years to be printed in a suitable form, and a sufficient number of copies for distribution among the city officers.

An Ordinance prescribing the duty of the city clerk and city sergeant in certain cases.

SECTION
1. City clerk to record votes, &c.
2. City clerk to furnish list of officers.
SECTION
3. City sergeant to notify officers.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that the city clerk shall record all votes, orders, resolutions and ordinances, rules and regulations, made and passed by the city council by concurrent vote; also, all proceedings of the board of aldermen and common council, when in convention.

SEC. 2. That the city clerk shall, from time to time, furnish the city sergeant with the name of each committee-man appointed and officer elected by the city council; provided such committee or officers be not members of the city council; and excepting herefrom the members of the school committee and the fire department.

SEC. 3. The city sergeant shall notify all such persons of their appointment or election, within ten days after said appointment or election shall have been made.

An Ordinance designating the duties of the city audit.

SECTION
1. Audit to meet twice each month—to advertise.
SECTION
2. Accounts to be certified—what bills need not be audited.
3. To keep records.

SECTION 1. *Be it ordained by the city council of the city*

of Providence, that the city audit shall appoint the times, not less than two in each month, and places when they will act upon accounts and other claims against the city; and cause public notice thereof to be given by publishing the same, three weeks successively, in one of the newspapers printed in this city.

SEC. 2. *And be it further ordained*, that all accounts and other claims against the city, for services done, or materials provided for the use of the city, under the charge, sanction, or superintendence of either of the surveyors of highways, or any other officer or officers, or any committee appointed by the city council, except the school committee, board of aldermen and board of fire-wards, shall, when presented to the audit, be accompanied with a certificate, under the hand or hands of such surveyors, or other officer or officers, or committee of the city council, certifying the same to be correct; otherwise the same shall not be received nor acted upon by the audit: provided that bills for labor upon the public highways, certified by the surveyor of highways, need not be acted upon by the audit.

SEC. 3. *And be it further ordained*, that it shall be the duty of the audit to procure and keep a suitable book, wherein they shall enter the date and amount of each and every claim allowed by them, and to whom allowed; and shall, whenever required by the city council, report to them the amount of the claims allowed.

An Ordinance prescribing the duties of the city marshal.

Duties of city marshal.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that it shall be the duty of the city marshal, from time to time, to pass through the streets and gangways of the city; to observe all nuisances, obstructions and impediments therein, to the end that the same may be removed or prosecuted according to law. It shall also be his duty to receive all complaints made against any person or persons, for any breach of the laws of the state, or ordinances or orders of the city; and for this purpose he shall attend daily, at some stated hour, in one of the public offices of the city, to be designated by the mayor. He shall also enforce and carry

into effect all and every the ordinances which shall be in force within the city: he shall obey and execute the orders and commands of the mayor and of the board of aldermen, in relation to any matter or thing in which the city may be in anywise concerned or interested, whenever thereunto required: he shall also be vigilant to detect the breach of any law, ordinance or order: he shall prosecute all offenders as soon as may be; and attend, in behalf of the city, the trial of all offences which may be prosecuted; and he shall lay before the mayor a statement of all prosecutions by him instituted in behalf of the city, or in which the city is any way interested or concerned, within one week after their final determination respectively.

An Ordinance prescribing the duties of the overseer of the public bridges.

Duties of overseer.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that it shall be the duty of the overseer of the public bridges, under the advice and direction of the board of aldermen, to keep the same at all times in good repair, at the expense of said city.

An Ordinance establishing street commissioners, prescribing the duties thereof, and for other purposes.

SECTION
1. Three commissioners—duties of—first meeting.
2. To make surveys of streets—to notify parties—fix grades—copy to be left at city clerk's office—appeals—monuments to be fixed—plat to be recorded.
3. May direct building, &c., of sidewalks—notice to owners of property—in case of neglect, work to be done by surveyor of highways—expense how collected.
4. May order fences built, or posts, &c., removed—penalty for neglect—mode of collection.
5. When owners of property on street furnish curb stones, surveyor to pave gutters, &c.
6. Commissioners to examine lines of streets and to report encroachments.
7. Compensation—by whom paid.

Be it ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. There shall be annually appointed by the city council, three street commissioners. It shall be the duty of

the street commissioners to fix the height, width and materials of side-walks, and the grades of streets, and to prevent encroachments thereon; and to perform such other duties as are herein after set forth. They shall meet within ten days of their election, and shall appoint one of their number clerk, who shall keep a record of their proceedings.

SEC. 2. It shall be the duty of the street commissioners to make, or cause to be made, surveys of all such streets, highways and proposed highways, with the adjacent lands, in which they may find it expedient to establish the grade or boundaries. Whenever any street or highway shall be so surveyed, they shall make out a statement of the bounds of such street or highway, and also the grade which in their opinion ought to be established thereon. They shall then appoint a day and place to hear the parties interested in the same, and shall cause written or printed notices thereof to be given to the owners of property on such street or highway who reside in said city, or shall cause such notices to be left at the place of their abode, and shall advertise in one of the newspapers of the city twice a week for three weeks successively, giving notice to all persons interested to appear and show cause why such grade should not be established. The said commissioners, after hearing the objections of such interested persons as shall appear and object, may establish such grade as they may deem expedient and determine the width of the sidewalks to be built thereon. They shall leave a statement of the grade thus established in the office of the city clerk, and give notice in one of the newspapers printed in Providence that such statement is so left; and if any owner of land shall feel himself aggrieved by any grade so established, he may appeal to the board of aldermen, by filing his appeal in writing with the clerk of the board of aldermen, within ten days after the publication of such notice of the decision of the street commissioners; and the board of aldermen, after hearing the matter and inspecting the ground, may confirm or alter such grade in their discretion; and when such grade shall be finally determined, the street commissioners shall cause to be placed suitable stone monuments, or refer to such permanent fixtures on said street or highway, from which such grade may be indicated; and shall cause to be recorded in a book to be kept in the office of the city clerk, a plat of such street or highway surveyed as aforesaid, which shall exhibit the bounds thereof, the width of the sidewalks, and such other matter as the commissioners may deem expedient.

SEC. 3. The street commissioners are hereby vested with

full power and authority to superintend, order and direct the building and altering of any sidewalk in the city, the materials to be used, and the time within which said building or alteration shall be made; and whenever said commissioners shall have determined in what manner, of what materials, and within what time any sidewalk shall be built or altered, they shall cause written or printed notice thereof to be personally given to the owner of the adjacent lot, if residing within the city of Providence, particularly describing the materials, width, height and manner the sidewalk shall be built, or the alteration to be made; but if the owner shall not reside in said city, then the notice shall be given to the tenants in possession; but if no tenant shall be in possession, then the same shall be published in one of the newspapers of this city, for three successive weeks. At the expiration of the time so limited by the commissioners, if the work shall not have been prosecuted according to the directions of the said commissioners, they shall, in their discretion, order the surveyor of highways for the time being to proceed at the expense of the city, and execute the directions so by them given to the owner, a copy of which order shall be by them given to the said surveyor; and when the same shall be by him accomplished, it shall be the duty of the commissioners to certify the expense thereof to the assessors of taxes for said city, together with ten per cent. in addition thereto, to cover the interest, cost of assessing and collecting; and the said sum so certified shall be by the assessors added to the tax of the owner of such adjacent lot so neglecting as aforesaid, which proceeding shall be conclusive, and the said owner with his estate shall be responsible therefor, in the same manner as for other taxes; and in case that any society that is exempt from taxation shall be the owner of said land, the proceedings shall be the same, and the notice shall be given to the treasurer of said society, and the cost of such alteration with the ten per cent. additional shall be collected of such society in the same manner as is prescribed by law for the collection of taxes.

SEC. 4. The street commissioners are hereby authorized and empowered to pass such orders as they may deem expedient, directing the owner or owners of land adjacent to any public street or highway to build or alter any wall or fence separating such land from said street or highway, or to remove from the sidewalk to such land any steps, posts, cellar doors, or other obstructions thereon, within such time as the said commissioners shall in such order direct; and to impose such pecuniary penalty for the breach of such order, not ex-

ceeding two hundred dollars, as they shall deem expedient; which penalty may be sued for and recovered for the use of the city, in an action of debt, in the name of the city treasurer, before any court of competent jurisdiction to try the same.

SEC. 5. Whenever the owners of the land on both sides of any street, or of any section of a street belonging to the city, which section shall not be less than two hundred feet long, the grade and width of sidewalk of which has been established and recorded as is directed in this ordinance, shall furnish the curb stone, and build the sidewalks thereof, the surveyor of highways is hereby authorised to pave the gutters, and to fill up and gravel such street or section of a street, at the expense of the city, provided said expense shall not exceed the sum of three hundred dollars.

SEC. 6. Whenever any surveyor of highways, or any person or persons, or corporation, about to erect any fence or building on any line of any street or highway, shall request the street commissioners to examine into, ascertain, and show to such surveyor, or person so requesting, the line of such street or highway, it shall be the duty of the commissioners to ascertain and point out such line: and in case any person or corporation shall erect any fence or building so as to encroach on any street or highway, it shall be the duty of the commissioners to make report of such encroachments in writing to the mayor, who shall proceed in the premises as the interest of the city in his opinion may require.

SEC. 7. The pay of the street commissioners shall be two dollars per day each, and half days in proportion, which shall be paid by the city when the services rendered are by request of the surveyor of highways, or in any proceedings relating to the grades of streets or highways; but in other cases such compensation shall be paid by the person or persons requesting the same to be rendered.

An Ordinance in relation to the streets and highways.

SECTION
1. Vehicles not to remain in streets unharnessed.
2. Goods not to be deposited in streets.
3. Board of aldermen may direct lighting of streets.
4. Playing ball prohibited.
5. Sliding prohibited.
6 & 7. Sign-boards, how placed.
8. Stagings, how erected.
9. Building materials—how they may be deposited.

SECTION
10. Work, how done—light to be kept.
11. Master workman and employer liable in certain cases.
12. No coal dust, ashes, &c., to be thrown into streets.
13. No wood, lumber, &c., to remain on public landings.
14. When pavements must be taken up, or trench dug—proceedings—light to be kept.
15. Penalties.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall suffer or permit any cart, coach, dray, sleigh, sled or other carriage or vehicle of any description, belonging to him or her, or in his or her possession, or under his or her care, to remain unharnessed in any of the streets or highways of said city, more than two hours at any one time; provided, however, that this section shall not extend to persons marketing in Market-square.

SEC. 2. That no person shall deposit, place or put, nor suffer to be deposited, placed or put, by any person or persons in his or her employ, any goods, wares, fire-wood, coal, chattels or merchandize, in any of said streets or highways, except while landing or shipping the same, or actually removing the same into or out of some building or inclosure, or loading the same into or unloading the same out of some vehicle.

SEC. 3. That the board of aldermen be and they are hereby empowered, from time to time, to take such measures as they may deem expedient for the lighting of said streets and highways.

SEC. 4. That no person shall play at ball, or throw any stones or other missiles, in any of said streets or highways.

SEC. 5. That no person shall slide on any sled or machine, or in any vehicle whatever, for amusement, in any of said streets or highways.

SEC. 6. That no person shall place, or cause to be placed, nor continue or suffer to be continued when placed, any sign-board or sign, unless the same be placed against some building, parallel therewith and secured thereto, and not projecting from the building to which the same shall be secured more than six inches into or over any street: provided, however, that nothing herein before contained shall extend to the sign of any licensed tavern keeper, nor of the museum, nor to the clock in South Main-street, so long as the owners thereof conform to the provisions of a resolution passed by the city council in relation thereto, on the twenty-fourth day of May, A. D. 1833.

SEC. 7. That neither the keeper of the museum nor any licensed tavern keeper shall place or cause, or suffer to be placed, nor continue or suffer to be continued when placed, any sign of said museum, or licensed tavern, except in such manner as the mayor shall direct or permit.

SEC. 8. That no person shall erect, or cause to be erected, nor continue or suffer to be continued when erected, any staging, in any of said streets or highways, for the purpose of

repairing or erecting any building, unless the same be erected under the personal inspection of the master workman employed to repair or erect such building, and of good, strong and sound timber, and plank or boards; and be strongly and safely secured.

SEC. 9. That no person, for the purpose of erecting or repairing any building, shall erect or cause to be erected any staging, nor deposit any building materials or rubbish, or remains of any old building, in such manner as to obstruct the passage over more than one half part of the street or highway in which such staging is erected, or such building materials, rubbish or remains of any old building are deposited; nor more than sixteen feet in any case.

SEC. 10. That in erecting any building situate on any street or highway, or doing any other work, no person shall place or deposit, nor suffer to remain in any part of said street or highway, any lumber or other building material, nor any rubbish or remains of any old building, for any purpose, nor for any longer period than may be necessary, from time to time, for the prosecution of the work which may be going on; and in case any lumber or other building material, or any rubbish or remains of any old building, must of necessity remain after dark, the owner or owners thereof shall cause a sufficient light to be kept or placed over or near the same, throughout the whole of the night, so as to give sufficient notice to all persons passing in or through such street or highway.

SEC. 11. That the master workman and his employer or employers shall be severally liable for the violation of any provision in either of the three last sections contained, except that which relates to the placing of a light over or near any lumber, building materials or rubbish remaining in the streets after dark.

SEC. 12. That no person shall throw or deposit, or cause to be thrown or deposited, in any street, highway or public place in said city, any coal dust, soot, ashes, cinders, shavings, hair, shreds, manure, oyster, clam or lobster shells, or any animal or vegetable matter or substance whatever.

SEC. 13. That no person shall suffer or permit any wood, lumber, merchandize or other thing whatever to him belonging, or under his care or control, to be and remain in any street or highway leading to or adjoining the waters of the harbor or river; nor on any public land adjoining said harbor or river, any longer time than is necessary to land the same

from or put the same on board any boat or vessel; and in no case to exceed twenty-four hours.

SEC. 14. That whenever the convenience of any person or persons or corporation requires the taking up of any pavement in any of said streets or highways, or the digging of any trench across or along any such street or highway, such person or persons or corporation shall, in writing, give notice thereof to the surveyor of highways, who shall examine the said street or highway before the same shall be broken up; and when the said street or highway is repaved, or the trench therein filled up, it shall be done under the superintendence of said surveyor, or in such manner as he shall direct; but at the expense of the person or persons or corporation breaking up the same. And whenever any trench or hole must of necessity remain after dark, the person making any such trench or hole, or employing any one so to do, shall cause a sufficient light to be kept placed over or near the same throughout the whole of the night, so as to give sufficient notice to all persons passing in or through such street or highway.

SEC. 15. That every person who shall violate any provision in the first, fourth or fifth section of this ordinance, shall forfeit and pay the sum of two dollars: that every person who shall violate any provision in the second or twelfth section shall forfeit and pay a sum not less than two dollars, nor more than ten dollars: that every person who shall violate any provision in the sixth, seventh, eighth, ninth, tenth or thirteenth section, shall forfeit and pay a sum not less than ten dollars, nor more than twenty dollars: that every person who shall violate any provision in the fourteenth section shall forfeit and pay a sum not less than twenty dollars, nor more than two hundred dollars: all which penalties shall be severally recovered to and for the use of the city, by proper legal process, before any court of competent jurisdiction.

An Ordinance for the preservation of side-walks.

SECTION
1. No vehicle to go—no wood to be sawed—no coal to be broken upon side-walks.
2. Snow to be removed from sidewalk.
3. Goods, &c., not to be deposited on side-walk.
4. Awnings how to be placed.
5. Constables to report offenders.
6. Prosecutions to be commenced within twenty days.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall ride, drive or lead any

horse, or shall drive or lead any horse and cart, wagon, dray, sled, sleigh or other vehicle drawn by one or more horse or horses, ox or oxen; or shall trundle or wheel any wheel-barrow or hand-cart or hand-wagon, or move or carry any hand-barrow, upon any side-walk now laid or which may hereafter be laid in said city with brick or stone, unless for the purpose of necessarily crossing the same; or shall fasten or hitch any horse or horses, ox or oxen, so that they stand on such side-walk, or shall saw, split or cut any fire-wood or other lumber, or break up any coal on any such side-walk; and that every person so offending shall forfeit and pay a fine of two dollars for each offence, to the use of said city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 2. *And be it further ordained*, that it shall be the duty of the occupants of the lower stories of all buildings, and the occupants of all lands, and the owners of all unoccupied lands and buildings which shall adjoin any of the side-walks aforesaid, to remove all the snow from said walks which shall fall thereon, so far as the same shall adjoin said buildings and lands, as soon as may be after the same shall have fallen; and every person neglecting so to do for the space of twenty-four hours after the same has fallen, shall forfeit and pay the sum of two dollars for each offence, to the use of said city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 3. *And be it further ordained*, that no person shall deposit, place or put, or suffer to be deposited, placed or put, by any person or persons in his or her employment, any goods, wares, cord-wood, coal, chattels or merchandize, on any such side-walk, except while actually removing the same into or out of some building or enclosure; and that every person so offending shall forfeit and pay for every offence two dollars, to and for the use of said city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 4. *And be it further ordained*, that no person shall spread, or suffer any person or persons in his employment to spread, any awning over any of the side-walks in said city, unless every part thereof and both ends of the stretching poles or bars thereof are at least seven feet above such side-walk; and every person who shall spread, or suffer any person or persons in his employment to spread, any awning contrary to the provisions of this section, shall forfeit and pay the sum of two dollars, to and for the use of said city, to be re-

covered by proper legal process before any court of competent jurisdiction.

SEC. 5. *And be it further ordained*, that it shall be the duty of each of the city constables to report the names of all persons offending against any of the provisions of this ordinance, to the mayor, to the end that they may be prosecuted therefor.

SEC. 6. *And be it further ordained*, that no person shall be prosecuted or tried for any breach of any of the provisions of this ordinance, unless the suit for the same shall be instituted and commenced within twenty days from the time of committing such breach.

An Ordinance in relation to cross-walks.

No vehicle to stand on cross-walk.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. No person shall suffer or permit any horse, ox, coach, cart, sleigh, wagon, sled or other carriage or vehicle of any description, belonging to him or under his care, to stand or stop upon any cross-walk in this city, for any other purpose except the taking up or setting down of passengers, nor for any longer time than shall be necessary for such purpose; and the owner or driver of any animal or vehicle standing or stopping contrary to the provisions of this ordinance shall forfeit the sum of two dollars, to be recovered to and for the use of the city, by proper legal process before any court of competent jurisdiction.

An Ordinance in relation to engine houses and fire apparatus.

Engine houses, &c., under control of fire-wards.

Be it ordained by the city council of the city of Providence, as follows, viz:

That from and after the passage of this ordinance, all the engine houses and fire apparatus belonging to the city shall be placed under the immediate control of the board of fire-

wards, subject to such rules and regulations as a majority of them may deem most expedient for the interest of the city.

At a town meeting of the freemen of the town of Providence, holden by adjournment at the town house, on Saturday, the eleventh day of June, A. D. 1825 :

Voted and resolved, that the firewards be and they are hereby authorized, at all times, to purchase such new engines and necessary apparatus as they may think proper and expedient for the use of the town.

And be it further voted and resolved, that the firewards be authorized to cause proper repairs to be made on the town engines and apparatus thereto attached, at all times when they think proper; and that they have power to draw on the town treasurer for all the expenses attending such purchase and repairs.

At a town meeting of the freemen of the town of Providence, legally warned and assembled at the town house, on Wednesday, the eighteenth day of April, A. D. 1827 :

Resolved, that the firewards be and they are authorized to construct such reservoirs and forcing pumps as they may think necessary, and draw on the town treasurer to pay for the same.

An Ordinance for the prevention of fires.

SECTION
1. Committee to superintend building of chimneys, &c.
2. Owner or occupant to alter or remove chimneys.
3. Lamps not to be carried into certain places—fire how carried thro' streets.
4. Shavings and straw not to be left in streets.

SECTION
5. Carpenters, &c., to remove shavings from shops.
6. Penalties.
7. Masters and parents liable in certain cases.
8. Prosecution must be within sixty days.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that in case the committee appointed to superintend the building of chimneys and placing of stoves and

stove-pipes, or the major part of them, shall deem any chimney now erected, any fire-place now built, or any grate, stove or stove-pipe now placed, or any chimney, fire-place, grate, stove or stove-pipe which may be hereafter erected, built or placed, to be unsafe in regard to fire, it shall and may be lawful for said committee, or the major part of them, to order and direct, in writing, such chimney, fire-place, grate, stove or stove-pipe to be altered, removed or taken down, at their discretion.

SEC. 2. That if the owner or owners, occupant or occupants of any building in said city, shall refuse or neglect to alter, remove or take down, according to the written orders and directions of said committee, or the major part of them, given as aforesaid, any chimney, fire-place, grate, stove or stove-pipe now erected, built or placed, or which may be hereafter erected, built or placed, such owner or owners, occupant or occupants, shall forfeit and pay a sum not exceeding twenty dollars, nor less than five dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction; and every such owner or owners, occupant or occupants, who shall persist in such refusal or neglect, after being required by said committee or the major part of them, in writing as aforesaid, to alter, remove or take down any such chimney, fire-place, grate, stove or stove-pipe, shall for every ten days during which he, she or they shall so persist, be deemed guilty of a new offence, and be subject to the penalty above prescribed.

SEC. 3. That no person shall carry into or use, in any barn, stable, hay loft or other place in said city, in which hay or straw is kept or used, any lighted candle or lamp not enclosed in a lantern, nor any lighted pipe or segar; nor shall any person carry any fire in or through any street or highway or other public place in said city, except in some covered vessel.

SEC. 4. That no person shall leave any shavings or straw or other combustible matter in any of the streets, lanes or gangways in said city, or in any other situation exposed to fire.

SEC. 5. That it shall be the duty of each tenant of every carpenter's, cabinet-maker's, wheelwright's, turner's and joiner's workshop in said city, at least once in every six days, to remove all shavings from his shop to some suitable place, and there, between sun-rise and sun-set, burn them.

SEC. 6. That every person who shall violate any provision in the third, fourth or fifth section of this ordinance con-

tained, shall forfeit and pay the sum of five dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 7. That whenever any minor or apprentice shall violate any provision of this ordinance, the parent or guardian of such minor, and the master of such apprentice shall be severally, or jointly, liable with such minor or apprentice, for the penalty aforesaid, to be sued for and recovered in the manner in the next preceding section prescribed.

SEC. 8. That no person shall be prosecuted for the violation of any provision in this ordinance contained, unless the suit therefor shall be commenced within sixty days after the right of action accrued.

An Ordinance describing and establishing the city market place.

Limits of city market place.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. The city market place shall consist of the whole of Market-square, including Weybosset and Washington bridges, and the bridge and walk connecting them; also, the gore of land south of Market-street and between Weybosset bridge and Union Buildings; also, all of Market-street and those parts of Westminster, Weybosset and Cove-streets that lie east of a line drawn through Orange-street and continued to the Cove, with all the streets and gangways leading from Cove to Westminster or Market-streets; also, the Fish-market, and all those parts of North Main and Canal-streets that lie south of a line drawn in continuation of the north line of North Court-street, westerly to the water, with the Hay Market-square, and all the streets and gangways south of said line, leading from Canal to North Main-street; also, all those parts of South Main and South Water-streets that lie northerly of the south line of the gangway between the estates of Truman Beckwith and William Jenkins, with the streets and gangways leading from South Water to South Main-street, north of said line.

An Ordinance for the regulation of the city market and market place.

SECTION
1. Duty of clerk of the market.
2. Horses and wagons how to stand.
3. Horses to be unharnessed from wagons, &c.
4. Market hours.
5. Market to be closed except during market hours.
6. Sweeping—scales—weights—stalls reserved.
7. Offal, &c., how disposed of.
8. Stalls how leased—in case of improvements.
9. Stalls how may be underlet.
10. All articles to be weighed on city scales.

SECTION
11. No tainted provisions to be brought into market place.
12. Casks—how many may be kept in market.
13. No tents or booths allowed.
14. Fish market—reserved stalls.
15. Fish market stalls how leased.
16. Stalls how may be underlet.
17. Time for business in fish market.
18. Offal how disposed of.
19. Intemperate persons—not to loiter about market.
20. Breaches how prosecuted.
21. Penalties.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that the clerk of the market shall have the care and superintendence of the city market and market-place. It shall be his duty to preserve order therein, and to execute and to carry into effect all the ordinances and by-laws that shall be from time to time established, for the regulation thereof. He shall keep said market-place free from any thing which may obstruct its proper use; and prevent or disperse all collections of disorderly persons therein. He shall cause the snow to be removed from the side-walks adjoining the market-house, and from the foot-walks on Weybosset bridge, as soon as may be after the same has fallen; and the manure and filth to be scraped up and removed from market-square and Weybosset bridge, once a week at least, during that portion of the year when it is practicable.

SEC. 2. That no person shall keep standing any wagon or other carriage, horse or other beast, within said market-place for any longer space of time, nor place or range any such wagon or carriage in any other manner, than such as may be directed or permitted by said clerk.

SEC. 3. That no person shall, without the permission of the clerk of the market, take a stand in that part of said market-place called Market-square, including Weybosset bridge, with any wagon or other carriage, for the purpose of marketing meat, poultry, fish, vegetables or fruit, unless he or she shall first unharness the horse or other beast attached to such wagon or other carriage, and remove such horse or other beast out of and from said Market-square.

SEC. 4. The market-house shall be opened by said clerk of the market every day, Sundays excepted, by sun-rise, and

shut at four o'clock, P. M. except on Saturdays, when it shall be shut at nine o'clock, P. M. Before shutting the same, the said clerk shall see that all fires and lights therein be extinguished.

SEC. 5. That at all times other than mentioned in the preceding section, said market-house shall be shut up and securely fastened.

SEC. 6. That it shall be the duty of said clerk to visit the market-house, at least, twice in each day while it is open; to cause the same to be swept daily, and kept clean; to provide scales and weights, or balances, sufficient for the use thereof; to reserve certain stalls therein for the exclusive use of persons who sell their own produce; and to prevent the said stalls from being otherwise used or occupied.

SEC. 7. That no person shall throw upon the floor, or any part of the market-house, nor into the square or streets adjoining the same, any sheeps' heads or feet; nor the heads, feet or hoofs of any other creature, or any joints or bones thereof; nor any animal or vegetable matter or offal; nor any tainted brine or other liquid whatever; and that every person attending market for the selling of vegetables or provisions, shall keep a basket, barrel, box or other suitable receptacle, under the stall, or in or near the wagon or cart where he may sell such vegetables or provisions, and deposit therein all such refuse parts and pieces as he may cut off or sever therefrom; and convey the same out of the limits of the market-place, every day.

SEC. 8. That it shall be the duty of the city treasurer, annually, on the first Monday in December, by and with the advice of the clerk of the market, to lease so many of the stalls in the market-house as he may deem expedient; and the said city treasurer shall, in the name of the city, execute leases thereof in writing; the rent whereof shall either be paid in advance, the city treasurer in that case allowing the lessee three per cent. on the amount thus paid; or secured by promissory notes, with an endorser or endorsers to the satisfaction of the city treasurer, payable in six months at bank; and the city treasurer, with the advice of the clerk of the market, may lease any stall or stalls in the market-house, for any term of time not exceeding three years, to any person or persons who shall make such improvement in their stalls as shall be satisfactory to the said treasurer and clerk; and any improvement which shall be made in the stalls by tenants, may be removed at the expiration of their leases, provided the same can be done without injury to the market-house;

and the rent of said stalls shall be paid annually, as before directed.

SEC. 9. That no person shall underlet any stall in said market-house, without the written permission of the clerk of the market, on the back of the lease thereof.

SEC. 10. That no person shall sell any article by weight, in said market-house, except the same be weighed by the scales or balances provided for that purpose by the clerk of the market.

SEC. 11. That no person shall have in his possession in said city market-place, nor sell, nor offer for sale therein, any stale, tainted or unwholesome provisions of any kind; and if any person shall neglect or refuse to remove from said market-place any such provisions in his possession, he shall be deemed guilty of a breach of this ordinance, and be subject to the penalty hereinafter mentioned.

SEC. 12. That no lessee of any stall shall have at one time more than three casks in said market-house, for the purpose of keeping provisions therein, without the permission of the clerk of the market.

SEC. 13. That no person shall erect or occupy any tent or booth within the limits of said city market-place.

SEC. 14. That it shall be the duty of the clerk of the market to visit the fish market, at least twice every day; to reserve two stalls in said market for the exclusive use of such fishermen only as shall catch and bring fish to market for sale.

SEC. 15. That it shall be the duty of the city treasurer, on the first Monday in January, annually, by and with the advice of the clerk of the market, to lease all the stalls in said fish market, except two; and the said city treasurer shall, in the name of the city, execute leases of the same in writing, the rent whereof shall be paid in advance.

SEC. 16. That no person shall under-let any one of said stalls, or stands, without the written permission of said clerk of the market, on the back of the lease thereof.

SEC. 17. That no person shall use or occupy any part of said fish market, or platform in front of the same, between ten o'clock, P. M. and daybreak.

SEC. 18. That every person, on leaving for the day the stall or stand by him occupied in said fish market, or on said platform, shall remove all filth, shells or offal from said stall or stand, and carry the same without the limits of the city market-place.

SEC. 19. That no person notoriously intemperate or dis-

solute shall use or tend any of the stalls in either of the city markets or any of the benches or tables on the platform in front of the fish market; nor shall any such person loiter in or about said markets.

SEC. 20. That it shall be the duty of the clerk of the market to complain to the city marshal of every breach of this and every other city ordinance committed within said market-place; to the end that the same may be prosecuted.

SEC. 21. That every person who shall violate any provision in this ordinance contained shall forfeit and pay a sum not less than two dollars, nor more than five dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

An Ordinance in relation to the hay market.

SECTION	SECTION
1. Hay to stand for sale in the hay market.	2. City scale to be kept in repair—weigher.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. No cart, wagon, sled or other vehicle loaded with hay, shall be permitted to stand within the limits of the market place, excepting upon the hay market-square, at the junction of Canal and South Court-streets; and every owner or driver of any cart, wagon, sled or other vehicle standing contrary to the provisions of this ordinance, shall forfeit and pay the sum of five dollars, to be recovered for the use of the city, by proper legal process before any court of competent jurisdiction.

SEC. 2. The platform scale upon said hay market-square shall be kept in good order, at the expense of the city, and the city treasurer shall be authorized to appoint a weigher therefor, who may receive such portion of the fees for weighing as the city treasurer may think reasonable.

An Ordinance in relation to wood and coal carts.

SECTION	SECTION
1. Wood and coal carts not to stand more than fifteen minutes in certain places.	2. Penalty. 3. Such carts may stand in hay market.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. From and after the first of October, 1843, no cart, wagon or other vehicle loaded with firewood or coal, shall be permitted to stand for more than fifteen minutes in any street or highway in the district included within a line drawn from the cove, through Mathewson, across Broad, through Richmond and Ship-streets, to the river, including all of said streets; thence to the foot of Power-street, thence to the east line of South Main-street, and following that line and the east line of North Main-street to North Court-street; thence westerly to the cove; excepting in Dorrance-street, in South Main-street between Power and Planet-streets, and in the street south of the hay market.

SEC. 2. Every owner, driver, or person having charge of any cart, wagon, or other vehicle, standing in any street or highway in violation of the provisions hereof, shall forfeit and pay the sum of five dollars, to and for the use of the city; to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 3. Carts, wagons, or other vehicles, loaded with firewood, may stand in the hay market, under such directions as the clerk of the market may establish.

An Ordinance in relation to weights, measures, scales and balances.

SECTION
1. Weights and measures to be sealed once a year.
2. Penalty for using unsealed weights and measures.
3. City sealer to distribute this ordinance —to report to city treasurer names of persons who violate it—prosecutions.
4. City sealer—how appointed—compensated by city.
5. Weighers of coal—coal to be weighed —fees.
6. Penalty for selling coal not weighed by public weigher.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. It shall be the duty of every person using any weight, measure, yard-stick, platform or other scales, steelyard, or other balance of whatever description, for the purpose of selling or vending any articles of goods, wares, merchandise, liquors or provisions thereby, in said city, to cause the same to be examined and sealed by the city sealer of

weights and measures, between the first day of July and the first day of December, in each and every year.

SEC. 2. Every person who, from and after the thirty-first day of December, A. D. 1837, shall use or permit to be used for him or her, any weight, measure, yard stick, platform or other scales, steelyard, or other balance of whatever description, in weighing or measuring therewith for sale any article of goods, wares, merchandise, liquors or provisions in said city, unless the same shall have been duly sealed in conformity with the provisions contained in the first section of this ordinance, shall forfeit and pay for each offence the sum of twenty dollars, to and for the use of the city, to be recovered in an action of debt in the name of the city treasurer, before the proper court to try the same.

SEC. 3. It shall be the duty of the city sealer of weights and measures to send, on or before the first day of August in each and every year, to every person or partnership firm in said city, selling any goods, wares, merchandise, liquors or provisions therein, a copy of this ordinance, certified by said sealer of weights and measures; and it shall also be the duty of said sealer of weights and measures to make and keep, in a book to be by him provided for that purpose, a true record of the names of every person and partnership firm in said city, selling goods, wares, merchandize, liquors or provisions therein; and to report in writing to the city treasurer, between the first day of January and the first day of June in each and every year, the name of every person and partnership firm who shall have violated the provisions contained in the first section of this ordinance; and it shall be the duty of the city treasurer, within twenty days after such report shall have been made to him, to commence and prosecute suits, before the proper court to try the same, for the recovery, to the use of said city, of the amount of all penalties which shall have been incurred by violation of the provisions contained in said first section.

SEC. 4. There shall be annually appropriated by the city council, and paid out of the city treasury, to the city sealer of weights and measures, a stated salary, which shall be in full compensation for the discharge and performance of all the duties required of him by this ordinance.

SEC. 5. There shall annually be appointed by the city council, a sufficient number of public weighers of coal; and all anthracite or other coal, sold by weight in any quantity not exceeding fifteen tons and not less than one half of a ton, shall, previous to the delivery thereof to the purchaser,

be weighed by some one of such public weighers, who shall immediately make and deliver to the carrier thereof, or to the driver of the wain or vehicle in which the same shall have been placed for delivery, a certificate of the weight thereof, which certificate shall be by such carrier or driver delivered with such coal to the purchaser thereof; and such public weigher shall be entitled to demand and receive for weighing each load of such coal, and certifying the weight of the same as aforesaid, the sum of ten cents; one half of which sum shall be paid by the seller and one half by the buyer thereof: provided, however, that in no case shall any public weigher demand or receive a greater sum than one dollar and fifty cents for the weighing and certifying of any quantity of such coal not exceeding fifteen tons, which shall have been purchased at the same time.

SEC. 6. Any person who shall sell and deliver by weight, or permit to be sold and delivered for him, by weight, any anthracite or other coal which shall not have been weighed, and the weight thereof certified as required by the fifth section of this ordinance, shall forfeit and pay for each offence the sum of twenty dollars, to and for the use of the city, to be recovered in an action of debt in the name of the city treasurer before the proper court to try the same.

An Ordinance in relation to the bonds of collector of taxes.

SECTION		SECTION	
1.	Collector to give bond for amount of tax.	2.	Sureties to be approved by board of aldermen.

Be it ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. Each and every collector of the city taxes, previous to his entering upon the collection of any tax or taxes, shall give bond or bonds with sufficient sureties to the city treasurer, for the faithful performance of his trust, which bond or bonds shall be for the amount of the tax or taxes such collector is to collect.

SEC. 2. The sureties to such collector's bond or bonds shall be approved by the board of aldermen, before the city treasurer shall receive such bond or bonds.

An Ordinance in relation to the city debt.

SECTION
1. Committee for the reduction of the city debt to be appointed.
2. Treasurer authorized to issue notes, &c., in certain cases—to make quarterly report.
SECTION
3. Register of city debt to be kept—notes, &c., to be entered before issued—right of voters to inspect register.
4. Fund for extinguishing debt.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. There shall be annually appointed in the month of June, by their respective boards, one alderman and three common councilmen, who, with the mayor, shall be a committee for the reduction of the city debt; and it shall be the duty of the city treasurer to consult said committee as to all matters concerning the city debt.

SEC. 2. The city treasurer is hereby authorized to issue the notes, bonds or other obligations of the city, payable upon fixed days, not more than five years after the date thereof, and bearing interest at a rate not exceeding six per cent. per annum, whenever it shall be necessary or expedient in order to provide funds for the payment of any city note, bond or other obligation which now is or shall hereafter become due and payable; and it shall be the duty of the city treasurer to make report to the city council, at their earliest meeting in March, June, September and December, of the issues and payments of city debt during the preceding three months.

SEC. 3. The city treasurer shall cause to be prepared a register of the number, date, page, amount, day of payment and rate of interest of every city note, bond or other obligation now outstanding, which register shall be placed in the custody of the city clerk, and whenever any note, bond or other obligation of the city shall hereafter be issued, the city treasurer shall present the same to the city clerk, who shall record in said register all the particulars above stated, and shall certify upon said note, bond or obligation, that it has been duly registered; and whenever any city note, bond or other obligation shall be paid, the city treasurer shall exhibit the same to the city clerk, who shall thereupon record in said register that such payment has been made; and every person paying a property tax in this city shall have a right to inspect said register of the city debt.

SEC. 4. There shall be established a fund for the payment of the city debt, and the city treasurer is hereby directed to

credit to said fund all receipts into the treasury for rents of city property, licenses and interest, and the sum of twelve thousand dollars from the first money received into the treasury from other sources after the first day of July in each year; and he shall charge said fund with all payments of the principal or interest of the city debt.

An Ordinance in relation to public schools.

SECTION
1. Description of public schools established—who are to be instructed therein.
2. Character of instruction.
3. High school—number of pupils.
4. Ages at which pupils may be admitted—time they may remain in high school—who may attend it.
5. Superintendent of public schools—by whom appointed—duties.
6. Commencement of school year.
7. Schools for colored children—tuition of colored children may be paid in certain cases.
8. Salaries of teachers, &c.
9. School committee to control money appropriated for schools—other duties—authority.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. From and after the passage of this ordinance, the number of public schools in said city shall be twenty-eight; (not including schools for colored children;) and that said schools shall be of the following descriptions, to wit:

One high school,

Six grammar and writing schools,

Twenty-one intermediate and primary schools:

And that free instruction shall be therein given to the children of all the inhabitants of said city who may see fit to avail themselves thereof, subject only to the rules and regulations herein after contained and provided for.

SEC. 2. Thorough instruction shall be given in said schools in all the branches of a good English education, and the school committee are authorized, in their discretion, to cause to be given therein, to all the pupils whose parents or guardians may desire it, instruction in all the preparatory branches of a classical education.

SEC. 3. The high school shall not at any time contain more than two hundred and fifty pupils; of which number not more than one hundred and twenty-five shall be females, except when the number of male pupils shall be less than one hundred and twenty-five; in which case an additional num-

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ber of females may be admitted, until the school shall be filled, under such conditions as the school committee may prescribe.

SEC. 4. No child who shall not have attained the age of four years shall be admitted as a pupil into a primary school; no child who shall not have attained the age of seven years shall be admitted as a pupil into a grammar and writing school, nor unless qualified immediately to enter upon the course of studies pursued therein; no child shall be admitted as a pupil into the high school unless qualified immediately to enter upon the course of studies pursued therein; no pupil shall remain in the high school more than three years; no child who shall not have attended a grammar and writing school for at least three years shall be admitted to the high school when there is a sufficient number of such candidates in the grammar and writing schools qualified for admission therein; but whenever there shall not be a sufficient number of such candidates, any child who is qualified may be admitted for such time as the school committee may determine.

SEC. 5. The school committee are hereby authorized and requested to appoint annually a superintendent of the public schools, and such teachers as they may deem expedient, who shall perform such duties in relation to the public schools as said committee may from time to time prescribe; said superintendent and teachers to be subject to removal at any time, by the school committee.

SEC. 6. The first regular term of all the schools in each school year shall commence on the Monday next succeeding the first Wednesday in September.

SEC. 7. There shall be two public schools maintained exclusively for the instruction of colored children; each of which shall be under the care of a principal, and also an assistant teacher, whenever in the opinion of the school committee the services of such assistant may be necessary; and free instruction shall be therein given, in the ordinary branches of an English education, to the children of all the colored inhabitants of the city who may see fit to avail themselves thereof, subject to such rules and regulations as the school committee shall establish; and if there be any colored children who ought to attend a primary school, residing at an inconvenient distance from the schools established by the city, the school committee are hereby authorized to contract for their tuition in private schools.

SEC. 8. Such annual salaries shall be paid to the superintendent and instructors of the schools respectively, in equal

quarterly payments, as the school committee shall direct, not exceeding the following sums, to wit:

To the superintendent, Twelve hundred and fifty dollars.
To the preceptor of the high school, Twelve hundred and fifty dollars.
To each male assistant teacher of the high school, Eight hundred dollars.
To each female assistant teacher of the high school, Five hundred dollars.
To each master of a grammar and writing school, Eight hundred dollars.
To each male assistant teacher of a grammar and writing school, Four hundred dollars.
To each female assistant teacher of a grammar and writing school, Two hundred and twenty-five dollars.
To each principal of an intermediate or primary school, Two hundred and fifty dollars.
To each assistant teacher of an intermediate or primary school, Two hundred dollars.
To each male principal of a school for colored children, Five hundred dollars,
To each female principal of a school for colored children, Two hundred dollars.
To each male assistant teacher of a school for colored children, Two hundred and fifty dollars.
To each female assistant teacher of a school for colored children, One hundred and fifty dollars.

SEC. 9. All moneys appropriated for the support of public schools shall be subject to the exclusive control of the school committee, who shall have full power to cause the same or any part thereof to be expended in any manner which they may deem most advisable for the benefit and welfare of the schools; excepting so much thereof as will be from time to time required for the payment of the salaries established by this ordinance; and excepting also, all such appropriations as may be made for any specific purpose or purposes. Said committee shall also have full power and authority to establish and alter, from time to time, as they deem expedient, the bounds of the several school districts, in order to provide suitable locations for such new schools as may hereafter be established by the city council, or to make more equal apportionment of pupils to the several schools. It shall be their duty to see that the school-houses and estates are kept in proper repair; to select and designate the best text books; and to provide all such apparatus, and all other means of instruction for all the schools,

as may be necessary for keeping the same in efficient operation, and for enabling the pupils to receive all the advantages therefrom which it is the intention of this ordinance to provide and secure. Said committee shall have and exercise a general discretionary power in all matters and things relating to the public schools, which are not specially provided for by this ordinance, or by the laws of this state, and may make regulations not repugnant to said laws, or to the provisions of this ordinance.

An Ordinance respecting quarantine.

SECTION
1. Bounds of quarantine ground.
2. What vessels may pass the quarantine ground by permission of the health officer.
3. Vessels which shall not unload at wharves, but may discharge cargo into lighters.—Vessels loaded with salt, &c.
4. Vessels in ballast.
5. Vessels passing Field's Point to anchor, &c.
6. Penalties—vessel passing quarantine ground to return.
7. Persons going on board vessels to remain during quarantine—penalty.
8. Hides, hoofs, &c., not to be landed, and vessels having sickness on board not to come to wharves during quarantine—bedding and clothing to be washed—penalty.
9. Authority of health officer.
10. Persons ordered to hospital.
11. No person to go near to hospital—exceptions—nurses, &c., not to leave hospital without permit.
12. Bilge water—when it may be pumped—penalty.
13. Rules for vessels in quarantine.
14. Penalties.
15. Board of aldermen may fix term of quarantine.
16. May make further regulations.
17. May suspend the operation of this ordinance.

Whereas in the opinion of the city council of the city of Providence, there is danger that at certain seasons of the year contagious or infectious diseases may be brought into the city, by vessels, their officers, seamen, passengers and cargoes; therefore:

It is ordained by the city council of the city of Providence:

SECTION 1. That the quarantine ground of said city shall comprise that part of the harbor of said city lying westward of the main channel of the river, and extending northward from Sassafras Point to the distance of one half of a mile from said point.

SEC. 2. That from and after the twenty-fourth day of June next, no vessel which shall arrive in the harbor of said city from any foreign port or place whatever, except those direct from any port or place north of the forty-eighth degree of north latitude; and no vessel which shall or may arrive from any port or place in the United States south of Chesapeake Bay,

and including the port of Norfolk and places on the James River, notwithstanding she may have touched or stopped at any intermediate port or ports during her homeward passage; nor any vessel with her officers, crew or passengers, that shall have touched or landed at the port of Norfolk shall pass the quarantine ground. But all such vessels, whatever may be their lading, shall be subject to the inspection and examination of the health officer appointed by the board of aldermen, acting *ex officio* as board of health; which health officer may, on information and examination of any such vessel, permit her to proceed up to the city, if it shall appear to him that the public health will not thereby be endangered; and provided it is not repugnant to the eighth section of this ordinance.

SEC. 3. That no vessel coming from any port or place in the south of Europe, or within the Straits of Gibraltar, or from any port or place on the American continent situated between the tropics, including all the West India islands, and places in the Bay of Mexico, or from any other port or place where it is ascertained that contagious sickness doth prevail, or hath recently prevailed, shall be permitted to unload at any of the wharves in said city, but such vessel, with her officers, crew and passengers, after having been subjected to and gone through all the regulations of quarantine, to the satisfaction of the said health officer, may, on a certificate from him to that effect, or liberty from the board of aldermen, acting *ex officio* as board of health, be permitted to discharge her cargo into scows or lighters, any where southward of the crook and west of the channel, and in such craft may bring the same up to the city; or the said health officer may permit, if in his opinion no danger is to be apprehended, any such vessel to unload at the wharves at Fox Point or India Point. Vessels laden with salt, and vessels coming from Canton, or from any port in the Pacific Ocean, having no sickness on board, are not included in this ordinance, but may, after conforming to all the directions of the said health officer, and on receiving his certificate that in his opinion no danger is to be apprehended, be permitted to unload at any of the wharves in said city.

SEC. 4. That all vessels arriving at this port, after having discharged their cargoes in any other port of the United States, agreeably to the quarantine regulations of such port, shall anchor on the quarantine ground, and be visited and examined by the said health officer, and be subject to the provisions of the eighth section of this ordinance, the same as if said vessel came direct to this port.

SEC. 5. That every vessel subject on her arrival at this port to be visited and examined by the said health officer, which shall pass Field's Point after nine o'clock, P. M. and before six o'clock, A. M., shall anchor at the quarantine ground, notwithstanding she may not have been hailed by the sentinel.

SEC. 6. That if any vessel subject to quarantine shall pass or leave the quarantine ground without permission of the said health officer, the owner or owners, or agent or agents of such vessel, or the person or persons who shall move the same, shall forfeit and pay to the use of the said city a sum not exceeding one hundred dollars, nor less than twenty-five dollars, to be recovered in an action of the case, in the name of the city treasurer, before the proper court to try the same; and such vessel shall be liable to be ordered back to the quarantine ground, at the expense of the owner or owners, or agent or agents thereof: and the owner or owners, agent or agents of such vessel, shall be liable to the same penalty on every repetition of such offence.

SEC. 7. That if any officer of the customs or any other person whosoever shall, without the permission of the board of aldermen, acting *ex officio* as board of health, or the health officer, go on board of any inward bound vessel that shall be subject to quarantine, such officer or other person so going on board shall not land in said city until the time of quarantine of such vessel shall have expired, under a penalty not exceeding twenty dollars, nor less than five dollars, to be recovered to the use of the city, by proper legal process, before any court of competent jurisdiction.

SEC. 8. That no untanned hides, skins, horns, hoofs, or any other article whatever, that shall or may be thought by the said health officer capable of generating disease, shall be landed from any vessel whatever, within the limits of this city, during the existence of the quarantine, except at the hospital ground, or Fox Point, or India Point; nor shall such goods be brought into the compact part of said city, except by special permission from said health officer; nor shall any vessel having sickness on board, or having had any person or persons sick of a malignant or contagious disease during the voyage, be permitted to come to any wharf in the city, during the existence of the quarantine, except to the wharves at Fox Point, south of Pike's wharf, or India Point, under special permission from the health officer; nor shall any foul or unclean bedding or clothing be

landed or brought within the limits of said city, during the existence of the quarantine, from any vessel in which any of the crew or passengers have been sickly during the voyage; nor shall any foul or unclean bedding or clothing be brought within the limits of said city, during said time, from any place where any contagious or malignant disorder doth or hath recently prevailed, unless the same are first carried direct to the hospital, and there washed and cleansed; and every person concerned in the violation of this section shall incur a penalty not exceeding one hundred dollars, nor less than twenty-five dollars, to and for the use of the city, to be recovered in an action of the case, in the name of the city treasurer, before the proper court to try the same.

SEC. 9. That the said health officer shall have authority to put such interrogatories and inquiries to the captain or commanding officer, or any other person on board of any vessel arriving at this port and subject to quarantine, as he shall deem proper, respecting the state of the vessel and the health of the people on board; and if such captain or commanding officer or other person shall refuse to answer any or all interrogatories or inquiries put to him by such health officer, or shall evade such inquiries, or shall in any way or manner make or cause to be made to such health officer a false or equivocal statement or report relative to the officers, crew or passengers on board thereof, or of the state of health of all or any of the officers, crew or passengers, or shall neglect to report to said health officer any death that may have occurred on board during the said voyage, or shall refuse to sign his written examination taken at the time by said health officer, after being requested so to do, such captain, commanding officer or other person so offending shall forfeit and pay, as a penalty to and for the use of the city, a sum not exceeding two hundred dollars, nor less than one hundred dollars, to be recovered in an action of the case, in the name of the city treasurer, before the proper court to try the same.

SEC. 10. That if any person ordered to the hospital from on board any vessel arriving at this port, or from any part of said city, after having so arrived, shall refuse to go thither, or being there shall depart from or leave the limits of said hospital without permission first obtained from the board of aldermen, acting *ex officio* as board of health, or from said health officer, in writing, such person shall, for each offence, forfeit and pay a sum not exceeding one hundred dollars, nor less than twenty-five dollars, to and for the use of the city, to

be recovered in an action of the case, in the name of the city treasurer, before the proper court to try the same.

SEC. 11. That no person during the existence of the quarantine, unless by the special permission of the board of aldermen, acting *ex officio* as board of health, or health officer, shall go within fifty yards of the hospital; except those at quarantine, the health officer, and other physicians, nurses, and those attached to the family of the keeper of the hospital, and those passing on the turnpike road; under a penalty not exceeding twenty dollars, nor less than five dollars, to be recovered to the use of the city, by proper legal process before any court of competent jurisdiction; nor shall nurses, or those attached to the family of said keeper, be allowed to leave the hospital, without his permission in writing, under the like penalty, to be recovered in like manner.

SEC. 12. That no stagnant or offensive bilge water shall be pumped out of any vessel at any wharf in said city above FOX POINT, nor in the channel or on the flats opposite said wharves, during the existence of the quarantine regulations, unless it be done between the hours of eleven o'clock, P. M. and four o'clock, A. M., under the penalty of two dollars for the first offence, and for every subsequent offence five dollars, to be recovered of the captain or commanding officer of such ship or vessel, or of the owner or owners thereof, to the use of said city, in an action of debt, in the name of the city treasurer, before the proper court to try the same.

SEC. 13. That the following be the rules and regulations to be observed on board all vessels while at quarantine:

1. Every vessel shall, during her quarantine, wear colors in her shrouds.

2. No provisions, spirituous liquors or other articles, shall be admitted on board of such vessel, without permission from the said health officer.

3. The said health officer shall, on all occasions, direct what goods shall be delivered from on board such vessel, the place where, and the manner in which, they shall be landed.

4. No person or persons, in any boat or vessel, shall be permitted to go alongside of any such vessel at quarantine, without permission of said health officer; nor to be at anchor, or remain in any other manner, within one hundred yards of any such vessel.

5. Every such vessel shall be removed and stationed at such place as the said health officer may, from time to time, under the direction of the board of aldermen, acting *ex officio* as board of health, direct and appoint.

6. The bilge water shall be pumped from every such vessel at least twice a day.

7. The directions of the said health officer, for cleansing the vessel, clothing, and other things on board, shall be strictly complied with by the officers and crew.

8. The commander of every such vessel shall be answerable for all irregularities and breaches of these regulations, by the people on board. All permissions and directions of the said health officer, as aforesaid, shall be in writing.

SEC. 14. That if any person or persons shall be guilty of a breach of any of the rules and regulations contained in the next preceding section, such person or persons so offending shall forfeit and pay a sum not exceeding twenty dollars, nor less than ten dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 15. That the board of aldermen, acting *ex officio* as board of health, be and they hereby are authorized and empowered, from time to time, to fix and assign the term which vessels shall be detained at quarantine, by virtue of this ordinance, and also to prescribe from time to time, if they deem it necessary, such other ports, places or countries, beside those mentioned in this ordinance, from which vessels arriving shall be subject to examination for quarantine.

SEC. 16. That the board of aldermen, acting *ex officio* as board of health, be and they hereby are authorized and empowered to make and carry into effect such further rules and regulations respecting quarantine as to them may appear necessary to prevent the introduction of contagious or infectious diseases from other places; and to annex such penalties for the breach thereof as they may think proper, not exceeding two hundred dollars fine, or ten days imprisonment.

SEC. 17. That the board of aldermen, acting *ex officio* as board of health, be and they hereby are authorized and empowered, from time to time, to suspend the operation of the whole or any part of this ordinance, in such manner and for such term as they may deem proper; and the same to revive, at their discretion.

An Ordinance in relation to the interment of the dead.

SECTION
1. Undertakers to be appointed.
2. Physicians to give certificates of disease.
3. Undertakers to demand certificate before interment.
4. Penalty for not furnishing certificate.
5. Monthly returns of interments.
6. Funerals to be in day time—depth of grave.
7. Abstract of returns to be published once a month—also at the close of the year.
8. Penalties.
9, 10 & 11. Permits to persons not undertakers—returns—penalty.
12. No burials, except in grounds designated.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. There shall be appointed by the city council a sufficient number of persons to act as undertakers, removable at the pleasure of the city council.

SEC. 2. Whenever any person shall die in this city, it shall be the duty of the physician attending in his or her last sickness, to leave, within forty-eight hours after the death, at the last residence of such deceased person, a certificate stating the disease or accident which caused his or her death, which certificate shall be delivered to the undertaker, who may conduct the funeral of such deceased.

SEC. 3. No undertaker or other person shall bury the body of any person dying in this city, without first enquiring for the certificate of the physician as aforesaid; and if no such certificate can be procured, the undertaker or person directing the funeral shall, within three days after such funeral, report the want of the certificate to the city clerk; and the undertakers shall, with their monthly returns, deliver the physicians' certificates to the city clerk.

SEC. 4. Every physician omitting or neglecting to leave such certificate as aforesaid shall forfeit and pay the sum of five dollars for each offence, to be recovered for the use of the city by proper legal process before any court of competent jurisdiction.

SEC. 5. Every undertaker shall make return to the clerk of the board of health, between the hours of nine o'clock, A. M. and two o'clock, P. M. of the first Wednesday of each month, of all interments made and funerals conducted by him during the preceding month, in form as follows, to wit:

An accurate list of all interments made by me, between the first day of 18 , and the last day of the same month inclusive.

NAME.	Sex.	Married or single.	Widow or widower.	Age.	Color.	Resident or non-resident.	Street.	Disease.	Date of Death.	REMARKS.

UNDERTAKER.

SEC. 6. All funerals shall take place between sunrise and sunset, unless otherwise permitted or directed by the board of health. The top of every coffin deposited in the ground shall be at least three feet below the usual surface thereof.

SEC. 7. The clerk of the board of health shall prepare an abstract of all the returns made to him, and report the same to the board of health, on the Monday next succeeding the first Wednesday of each month. The board of health shall cause a monthly abstract of all such returns to be published in all the newspapers which contract to do the city printing, and shall also prepare and publish in all the said newspapers, in the second week in January, in each year, an abstract of all the returns made to them to the close of the preceding year.

SEC. 8. Every undertaker who shall violate any of the provisions of the preceding section of this ordinance shall forfeit and pay the sum of ten dollars for each offence, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 9. Any person other than such an undertaker, who shall manage and conduct a funeral, or inter or remove from the city a dead body, shall first obtain permission in writing from the board of health, or in their recess from the clerk or one of the members of said board, to do the same; and after said interment or removal is made, shall make return as is directed to be made by undertakers in the fifth section of this ordi-

nance; and for every neglect or refusal to obtain such permission, or to make such return, shall forfeit and pay the sum of ten dollars to and for the use of the city, to be recovered by proper legal process before the proper court to try the same.

SEC. 10. All permissions given pursuant to the provisions of the ninth section of this ordinance shall be free of charge.

SEC. 11. All returns made by an undertaker or other person shall be recorded by the clerk of the board of health, in a book to be kept expressly for that purpose.

SEC. 12. No undertaker or other person shall hereafter bury or cause to be buried the body of any deceased person, except in such grounds as are now known and used as burying-grounds, or such as shall hereafter be by the city council designated as burying grounds, and authorized to be used as such; and every person so offending shall forfeit and pay for every offence the sum of forty dollars, to and for the use of the city, to be sued for and recovered in an action of debt, in the name of the city treasurer, before any court of competent jurisdiction.

An Ordinance in relation to the north burial ground.

SECTION	SECTION
1. No vaults or enclosures without permission of city council.	2. Penalty.
	3. Overseer—duties of.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall erect or build any vault within the limits of the city burial ground, nor enclose any part or portion thereof, without leave first had and obtained from the city council.

SECTION 2. That any person who shall violate any provision of this ordinance shall forfeit and pay a sum not less than ten dollars, nor more than fifty dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 3. That the overseer of said burial ground shall keep the fences around the same in proper repair, and the gates thereof locked; and he shall report to the mayor every violation of this ordinance, as soon as may be, that the same may be prosecuted.

An Ordinance providing for the establishment of a public watch.

SECTION
1. Board of aldermen may appoint watchmen.
2. Duties of watchmen.
3. Persons arrested may be discharged in certain cases.
4. Other instructions—mayor may suspend watchmen from duty.
5. Compensation of watchmen.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. The board of aldermen are hereby authorized, from time to time, to appoint a public watch, to consist of so many persons as they may deem expedient, not exceeding thirty, removable at the pleasure of said board.

SEC. 2. It shall be the duty of said watch to patrol the streets during the night; to preserve the peace therein; to give immediate alarm in case of fire; and they shall have authority to arrest every person offending during the night against any ordinance of the city, or law of the state, or who may be intoxicated in any public street; and to prevent any crowd from collecting so as to obstruct the convenient passage of peaceable persons through any part of any street or over any public bridge.

SEC. 3. Any person arrested by said watch may be discharged upon giving his name, place of abode, and business, if there be no circumstances in the opinion of the captain of said watch requiring his detention; and it shall be the duty of said watch to report each morning to the city marshal the names of all persons in custody, and of all persons detected in violating any ordinance of the city, or law of the state.

SEC. 4. The watch shall in all cases not otherwise provided for be governed by such instructions and directions as may from time to time be given by the mayor or the board of aldermen; and the mayor shall be authorized to suspend from duty, for cause, any member of said watch, until such time as his case may be decided upon by the board of aldermen.

SEC. 5. The members of said watch shall receive such compensation as the board of aldermen shall direct.

An Ordinance to prevent revelling and other disturbances in the public streets.

No person to behave in a disorderly manner, &c.—penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that each and every person who shall revel,

commit any mischief, quarrel, or otherwise behave in a disorderly manner, in any of the public streets, gangways, alleys or lanes in said city, or any of the public wharves or public lands in said city, to the disturbance or annoyance of the peaceable inhabitants thereof, or any portion of them, or shall aid, assist, encourage or promote the same to be done by any other person or persons, shall forfeit and pay to the use of the city a sum not exceeding twenty dollars, nor less than one dollar, to be recovered by proper legal process before any court of competent jurisdiction.

An Ordinance to prevent the firing of guns and pistols in the streets and other public places.

SECTION
1. No guns, &c., to be fired in any street, &c.
SECTION
2. Penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall fire any gun or pistol, in any street or lane, or on any public wharf or public lands, within said city, after sunrise and before sunset.

SEC. 2. That every person who shall violate any provision of this ordinance shall forfeit and pay the sum of two dollars, to and for the use of the city, to be sued for and recovered by proper legal process before any court of competent jurisdiction.

An Ordinance to prohibit the opening of places of trade or entertainment on Sundays or late at night.

SECTION
1. No shop, &c., to be opened after 11 o'clock, P. M., nor on Sunday.
SECTION
2. Penalty.

It is ordained by the city council of the city of Providence, as fellows, viz:

SECTION 1. No shop, store, or other place of trade or entertainment in this city, excepting licensed taverns, shall hereafter be kept open after eleven o'clock in the evening, nor be opened before daylight in the morning; nor shall any such shop, store, or place of trade or entertainment, be opened on Sunday, nor any article sold therein on that day: provided

that druggists may open their shops at any time for the purpose of selling medicines for the use of the sick.

SEC. 2. Every keeper of any shop, store, or place of trade or entertainment, which shall be opened, or in which any article shall be sold, and every person opening any shop, store, or place of trade or entertainment, or selling any article, contrary to the provisions of this ordinance, shall forfeit and pay a fine of not less than five dollars, nor more than twenty dollars, to be recovered by proper legal process before any court of competent jurisdiction.

An Ordinance to prevent the ringing of bells between sunset and one hour after sunrise.

SECTION
1. Bells not to be rung, except, &c.
SECTION
2. Penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall, between sunset and one hour after sunrise, ring or cause to be rung, the bell of any house of public worship in said city for any purpose whatever, except on the alarm of fire, and except the ringing of the bell of the first Baptist meeting house, for nine o'clock in the evening, and for sunrise: provided, however, that nothing herein contained shall be construed to prevent the tolling, at a moderate rate, of any such bell, for lecture, or any other lawful meeting, between the times herein before mentioned.

SEC. 2. That every person who shall offend against this ordinance shall forfeit and pay a sum not less than ten dollars, nor more than one hundred dollars, to and for the use of said city, to be recovered in an action of the case, in the name of the city treasurer, before the proper court to try the same.

An Ordinance in relation to nuisances.

SECTION
1. Committee on nuisances—duties of.
2. Nuisances which can be abated for
SECTION
ten dollars—proceedings—penalty.
2. Other nuisances—proceedings.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. It shall be the duty of the committee on nuisances, and of every member thereof, to examine into the state and condition of every place and part of the city where

he shall suspect or be informed that there exists any matter or thing which is or may be prejudicial to the health of the inhabitants thereof.

SEC. 2. Whenever it shall appear to the satisfaction of either of the members of the committee on nuisances, or of the city marshal, that there exists upon any premises owned or occupied by any person, any dirt, offal, or animal or vegetable matter, or the contents of any hog pen, privy, drain or vault, calculated to injure health, or by noxious air to annoy the neighborhood, and that such nuisance or annoyance may be abated at an expense not exceeding ten dollars, it shall be the duty of such member or members of said committee, or city marshal, to cause the owner or occupant of such premises to be notified in writing of the existence of such nuisance or annoyance, and directed forthwith to abate the same; and if such nuisance or annoyance shall not be abated within twenty-four hours after such notice, the owner or occupant of such premises shall forfeit and pay a fine of ten dollars; and the officer giving such notice shall be authorized to cause such nuisance or annoyance to be abated, and the city treasurer shall pay the expense thereof; for which, together with the penalty aforesaid, the said owner or occupant shall be liable, and the same shall be collected for the use of said city, by proper legal process before any court of competent jurisdiction.

SEC. 3. Whenever it shall appear to the satisfaction of either of the members of the committee on nuisances that there exists upon premises owned or occupied by any person, any matter or thing injurious to the health of the inhabitants of any part of the city, or which in their judgment may originate or conduce to the spreading of any infectious or contagious disease, and that the expense of abating such nuisance or danger to health shall be estimated at more than ten dollars, it shall be the duty of said committee, or any of them, to report the same in writing to the mayor, setting forth the particulars of such nuisance as nearly as may be; and the mayor shall, upon receiving such report, notify the owner or occupant of the premises upon which such nuisance exists, or the persons who may have erected, continued or permitted such nuisance, to appear before the board of aldermen at such time as the mayor shall appoint, to shew cause why such proceedings as are by law authorized should not be had to abate such nuisance.

An Ordinance in relation to the burial of the dead bodies of animals.

SECTION
1. Bodies of animals to be buried more than three feet deep.
SECTION
2. Penalty.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. No person shall bury or cause to be buried the body of any horse, ass, mule, ox, cow, bull, hog, or other large animal, within the limits of this city, unless in such manner that every part or portion of such body shall be at least three feet below the natural surface of the ground where such body is buried.

SEC. 2. Every person violating the provisions of the preceding section shall forfeit and pay a fine of not less than five nor more than twenty dollars, to be recovered to and for the use of the city before any court of competent jurisdiction, by such process as the law directs.

An Ordinance to prohibit the depositing animal or vegetable substances in certain waters of the city.

SECTION
1. No person shall throw into public waters any animal substance.
SECTION
2. Penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall throw, cast or deposit, or cause to be thrown, cast or deposited, into or upon the margin of any pond, river, cove, canal basin or dock, in the city, any animal or vegetable matter or substance whatever.

SEC. 2. That every person so offending shall forfeit and pay a sum not exceeding fifty dollars, nor less than one dollar, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

An Ordinance relative to the removal of the contents of privy vaults.

SECTION
1. No removal to be made before 10, P. M., between April and November.
2. Vehicles to be covered, &c.
SECTION
3. Not to stop in streets.
4. Penalties.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person or persons shall, between the first day of May and the first day of November, in any year, carry into or through any public street of said city, any part of the contents of a privy vault, in any cart, wagon or other vehicle whatever, except between the hours of ten o'clock, P. M. and sunrise.

SEC. 2. That no person or persons shall at any time whatsoever carry into or through any public street of said city, any part of the contents of a privy vault, in any cart, wagon or other vehicle, which shall not be effectually covered and water-tight.

SEC. 3. That no such cart, wagon or other vehicle whatever, having therein any part of the contents of a privy vault, shall be permitted to stand (except while loading) in any public street of said city.

SEC. 4. That in case of violation of any of the provisions in the first or second sections mentioned, the owner or owners, driver or drivers, of any such cart, wagon or other vehicle, shall forfeit and pay the sum of five dollars; and for any violation of the third section hereof, such owner or owners, driver or drivers, shall forfeit and pay the sum of two dollars; which penalties shall be recovered to and for the use of the city, by proper legal process before any court of competent jurisdiction.

An Ordinance to prohibit bathing in certain places.

SECTION
1. No person to bathe within certain limits in day time.
SECTION
2. Penalty.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. No person shall, for the purpose of swimming or bathing, go into any of the waters of the harbor, cove, rivers, or Blackstone canal, between the time of sunrising and one hour after sunset, within the following limits, viz.: Beginning at a point on said canal twenty rods above the guard

gate, near the print works of Philip Allen & Son, and at a point on the Moshassuck river twenty rods above the mills formerly owned by the United Manufacturing Company, and extending on the east side of said waters to the railroad bridge, and on the north side of said waters to the northwesterly corner of the state prison lot; and extending on the west side of said waters from Carpenter's Point to the city hospital lot; nor into the Wonasquatucket river between the bridge on the Wonasquatucket turnpike and the line of the town of Johnston.

SEC. 2. Every person offending against the provisions of this ordinance shall forfeit and pay the sum of two dollars, to be recovered for the use of the city by proper legal process, before any court of competent jurisdiction.

An Ordinance to prevent injury to lamp posts, fences and buildings.

SECTION	SECTION
1. No person shall injure lamp posts, fences &c.—penalty.	2. No person shall paint or deface any lamp post, house, &c.—penalty.

Be it ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. If any person shall maliciously, wantonly or carelessly break, throw down, extinguish or otherwise injure any lamp or lantern, erected for the purpose of lighting any street, highway, bridge, wharf or public place in this city, whether the same shall have been erected by the city or any other corporation, or by private individuals, such person so offending shall, upon conviction before any court of competent jurisdiction, forfeit and pay the sum of not less than five nor more than twenty dollars, to and for the use of the city.

SEC. 2. If any person shall maliciously, wantonly or carelessly daub with paint, cut, break or otherwise injure, or by scratching or writing with paint, blacking, red chalk, or in any other way or manner deface any post, lamp post, fence, tree box, house or other building, situate in or upon any street, highway, bridge, wharf or public place in this city; or any ornament or appurtenance of such post, lamp post, fence, tree box, house or other building, such person so offending shall, upon conviction before any court of competent jurisdiction, forfeit and pay the sum of not less than five, nor more than twenty dollars, to and for the use of the city.

An Ordinance in relation to the city pumps and wells.

SECTION
1. No clothes to be washed at pumps.
SECTION
2. Penalty.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall wash any clothes, clothing, utensil or other article or thing whatever, in any watering-trough attached to any city pump or well; nor in any way or manner render the water in such trough or well unfit for use; nor injure any such pump or well or the appurtenances thereof; nor waste the water issuing therefrom.

SEC. 2. That every person offending against the provisions of this ordinance, or any part thereof, shall forfeit and pay a sum not exceeding twenty dollars, nor less than two dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

An Ordinance in relation to dogs.

SECTION
1. No dog to go at large between May and November, except muzzled, &c.
2. Penalty.
SECTION
3. Dogs killed to be buried.
4. Reward for killing dogs.

SECTION 1. *Be it ordained by the city council of the city of Providence*, that no person shall suffer or permit any dog belonging to or kept by him or her, or which shall be under his or her care or control, to be or run at large in said city, between the first day of June and the first day of November in each and every year, unless such dog shall have securely put on a strong and sufficient muzzle or strap over its jaws, so as effectually to prevent such dog from biting, and shall also have around its neck a collar of metal or leather with a metal plate, upon which metal collar or plate the christian and surname of the owner of such dog shall be legibly, plainly and durably stamped, written or engraved.

SEC. 2. That whosoever shall violate any provision in the preceding section contained shall forfeit and pay the sum of five dollars, to and for the use of the city, to be recovered by proper legal process before any court of competent jurisdiction.

SEC. 3. That every dog found at large, in violation of the first section hereof, shall be immediately killed, and his body buried at least three feet below the surface of the ground, either in the piece of ground belonging to the city, situate north of and adjoining the proprietors' burial ground on the

west side of the river, or in any part of the north burial ground, without the fence.

SEC. 4. That any person who shall kill any full grown dog, being or running at large in violation of this ordinance, shall be entitled to the sum of one dollar for each and every dog so killed and buried in pursuance of this ordinance; provided he present and prove his claim therefor before the board of aldermen, on the Monday next following the time said claim shall have accrued.

An Ordinance to prevent the going at large of certain animals.

SECTION
1. No cattle, &c., except cows, to go at large.
2. Cows going at large to wear collars.
3. Penalties.
4. Swine found at large to be forfeited.

It is ordained by the city council of the city of Providence, as follows, viz:

SECTION 1. From and after the first day of May next, it shall not be lawful for any horses, sheep, hogs, goats or cattle of any kind excepting cows, to go at large within the limits of said city.

SEC. 2. From and after the day aforesaid, it shall not be lawful for any cow to go at large within the limits of said city, unless said cow shall have around her neck a substantial leather or metal collar, with the name of her owner distinctly stamped, printed or engraved thereon.

SEC. 3. Every owner of any animal found at large contrary to the provisions of this ordinance shall forfeit and pay a fine of not less than one dollar, nor more than twenty dollars, to be recovered for the use of the city by proper legal process before any court of competent jurisdiction.

SEC. 4. All swine found running at large within the limits of this city are hereby declared to be forfeited; and it shall be lawful for any citizen who is entitled to vote for general officers in this state, to seize or cause to be seized any swine found running at large within the limits of the city, and the same to convert to his own use, or to deliver to the keeper of the Dexter Asylum for the use of the poor persons in that institution.

Resolution defining limits of that part of the city in which bowling alleys may not be kept.

Whereas, by the provisions of the act to regulate bowling alleys, it is forbidden to keep any bowling alleys in the compact part of any town or city ; and it is also required that the city council define the limits of the compact part of this city, therefore,

Resolved, That the compact part of this city is hereby declared to be all that part included within lines drawn as follows, viz: Beginning at the north-westerly corner of the state prison yard, and running in a straight course to the junction of Smith and Davis-streets, thence through Davis-street to Orms-street, thence through Orms-street to Charles-street, thence through Charles-street to Randall-street, thence through Randall-street to a point four hundred feet westerly from North Main-street, thence northerly, holding that distance from North Main-street, to Thurber's lane, thence through said lane and across North Main-street to a point four hundred feet easterly from North Main-street, thence in a straight line to the junction of Olney and Prospect-streets, thence through Prospect street to Angell-street, thence through Angell-street to Hope-street, thence through Hope-street to a point two hundred feet southerly from Wickenden-street, thence westerly parallel to Wickenden-street and continuing in the same direction to the river, thence across the river to the foot of Point-street, thence through Point-street to Plane-street, thence following the fences around the burying grounds to the northwest corner of the Benevolent Society's burying ground, thence in a straight line to the junction of Pawtuxet and Pearl-streets, thence through Pearl-street to Cranston-street, to the easterly line of the Dexter farm, and following said line to High-street, thence through High-street to Love-lane, thence through Love-lane to Carpenter-street, thence through Carpenter-street to Dean-street, thence through Dean-street to its junction with Atwell's Avenue, and thence in a straight line to the first named bound, viz., the north-west corner of the state prison yard.

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